Prepared by:
Momin Shaikh
Al-Fiqh and Law
LL.M 23-24

"what is an international organisation?"

Short answer: An international organisation is a legal person created by agreement between States (or other subjects of international law) to pursue common purposes across borders, endowed with international legal personality and capacities necessary to perform its functions — this status is reflected in the UN Charter, the UN privileges-and-immunities conventions, and in the International Law Commission's draft articles on responsibility for international organizations.

UN Charter basis and privileges

Legal personality and functional capacity flow from the UN Charter: the Charter contemplates that the Organization (and by analogy other international organizations) shall enjoy the legal capacity and such privileges and immunities as are necessary to fulfil its purposes (Articles 104–105 as reflected in the Convention on the Privileges and Immunities of the United Nations).

Treaties that operationalize the concept

- **Convention on the Privileges and Immunities of the United Nations** treats the UN as an entity with legal capacity in Member States and sets out practical consequences (capacity to contract, own property, immunity necessary for functions).
- **Convention on the Privileges and Immunities of the Specialized Agencies** extends the same practical framework to specialized agencies, showing how treaty practice implements the abstract idea of an international organization.

Draft Articles and responsibility

The **International Law Commission's 2011 Draft Articles on the Responsibility of International Organizations** define the scope of international responsibility and presuppose that an "international organization" is an entity established by a treaty or other instrument between States (or other subjects) with organs and officials acting on its behalf; the Draft Articles apply to wrongful acts by such organizations and to State responsibility in connection with them.

Scholarly and encyclopaedic framing

Authoritative commentary treats an international organization as **(1) created by agreement among subjects of international law; (2) possessing international legal personality; and (3) endowed with organs, officials, and capacities to act internationally** — a synthesis reflected in major reference works and encyclopedias of public international law.

Key legal takeaways (practical points)

- **Creation:** by treaty or constituent instrument between States (or other subjects).

- **Legal personality:** recognized domestically by privileges-and-immunities conventions and functionally by the Charter's Articles 104–105.
- **Capacity:** to enter contracts, own property, sue/be sued (subject to immunities), and act through organs and officials.
- **Accountability:** international responsibility rules (ILC Draft Articles) apply when an organization commits an internationally wrongful act; States can also be responsible for conduct in connection with organizations.
- **Interpretation and practice:** scholarly sources and practice (e.g., specialized-agency arrangements) flesh out the legal tests for personality and competence.

"explain the nature of an international organisation with special reference to the Reparation case?"

An international organisation is a legal person created by agreement between States (or other subjects of international law), endowed with organs and officials and with the legal capacities and privileges necessary to perform its functions; the Reparation advisory opinion confirmed that such organisations possess international legal personality and can claim reparation for injuries to their agents.

Definition and core features

An international organisation is created by treaty or constituent instrument and has an independent legal personality distinct from its members. This functional conception is reflected in instruments that operationalize the Organization's capacities and immunities for practical operation in Member States. **Key features** are: **creation by agreement**, **organs and officials**, **capacity to act internationally**, and **entitlement to privileges and immunities necessary for its purposes**.

Legal foundations in treaty practice and doctrine

Treaty practice (privileges-and-immunities conventions) implements the Charter's functional rule by granting legal capacity and immunities so organisations can operate in Member States; these conventions set out concrete capacities (contracting, property, immunity) and protections for officials. The International Law Commission's Draft Articles on Responsibility of International Organizations treat an "international organization" as an entity whose wrongful acts can attract international responsibility and whose conduct may give rise to claims — the Draft Articles presuppose the organisation's separate legal personality and regulate responsibility for internationally wrongful acts.

The Reparation for Injuries advisory opinion and its significance

The ICJ in Reparation for Injuries (1949) held that the United Nations possesses international legal personality and therefore the capacity to bring claims for injuries to its agents when those injuries affect the performance of its functions; the Court grounded this capacity in the UN's purposes and functions rather than in an express textual grant of personality. The Court stated that the Organization must have the capacity "to bring an international claim" to secure reparation necessary for the fulfilment of its purposes, and that this capacity follows from the Charter and the Organization's character as an international person.

How Reparation shapes the nature of international organisations

Reparation confirms two practical points: (1) **legal personality can be inferred from functions** — an organisation need not have an explicit clause saying "it is a person" if its purposes require capacities; (2) **capacity to claim reparation is part of the functional toolkit** that enables an organisation to protect its operations and agents internationally. This functional approach aligns with treaty practice that supplies the domestic legal mechanisms (privileges, immunities, capacity to contract and own property) necessary for operation.

Practical consequences and accountability

Practically, organisations exercise capacities (contracts, property, claims) but enjoy immunities that limit domestic remedies; international responsibility rules (ILC Draft Articles) provide the framework for addressing wrongful acts by organisations and for State responsibility connected to organisational conduct. The Reparation opinion remains a cornerstone: it ties legal personality to effective operation and to the availability of international remedies when functions are impaired.

"what is the role of the International organisation in the development of international law?"

Bold summary: International organisations (IOs) are both *subjects* and *engines* of international law: they create, interpret, and operationalize rules (through treaties, soft law, practice and adjudication) while the UN General Assembly, the International Law Commission and courts treat IO activity as a central source of progressive development and codification of international law — this matters directly to UN Member States such as **Bangladesh**, which participate in and are bound by many IO-made rules.

1. Charter mandate and formal law-making role

The UN Charter expressly tasks the General Assembly with "encouraging the progressive development of international law and its codification" (Article 13(1)(a)), giving the UN system an institutional mandate to initiate studies, draft conventions, and steer codification projects that become binding law when States accept them.

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2. IOs as drafters and standard-setters (hard and soft law)

- **Treaty drafting:** IOs negotiate multilateral treaties and model conventions (e.g., UN conventions, specialized-agency treaties) that become binding sources of law once States ratify them.
- **Soft law and standards:** IOs produce non-binding instruments (resolutions, guidelines, codes of conduct) that shape State practice and opinio juris and often lead to binding rules over time; scholars document how IOs (IMF, OECD, UN bodies) use "enabling authority" to expand normative reach.

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3. IOs as interpreters and evidence of state practice

IO organs (General Assembly, Security Council, treaty bodies) interpret norms and produce authoritative practice that courts and tribunals consult under Article 38 of the ICJ Statute (judicial decisions and teachings as subsidiary means), so IO pronouncements feed directly into how international law is applied.

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4. IOs and international legal personality: enforcement and remedies

The **ICJ's Reparation advisory opinion** confirmed that an IO (the UN) possesses international legal personality and the capacity to claim reparation when its functions or agents are injured — this shows IOs can be *subjects* of rights and duties and can seek remedies at the international level, reinforcing their role in shaping remedial law and State responsibility practice.

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5. Domestic operation and functional capacities

The **Convention on the Privileges and Immunities of the United Nations** operationalizes IO personality by granting legal capacity, privileges and immunities necessary for IOs to function in Member States; these domestic-facing rules make IO decisions and activities practically effective and legally durable.

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6. Codification, progressive development and the ILC

The **International Law Commission** (mandated by the UN to codify and progressively develop international law) works closely with IOs: IOs propose topics, provide expertise, and implement ILC outputs, so IOs and the ILC form a feedback loop that turns practice into codified rules.

Practical implications (for States like Bangladesh)

- **Participation matters:** States shape international law by negotiating IO instruments and by implementing IO standards domestically.
- **Soft law uptake:** Non-binding IO instruments often become de facto obligations through repeated practice and technical integration.
- **Remedies and immunities:** IOs' legal personality and privileges affect how disputes and claims are pursued internationally and domestically.

"discuss the objectives for establishment of United Nations?"

The United Nations was established to prevent war, maintain international peace and security, promote human rights and social progress, and create conditions for justice and economic and social cooperation; these objectives are set out in the Charter's Preamble and Article 1 and are implemented through the Charter's principles and specific economic and social provisions.

Core objectives (Charter text)

- **Preventing war and preserving peace:** The **Preamble** declares the UN's determination "to save succeeding generations from the scourge of war" and to "maintain international peace and security".
- **Promoting human rights and dignity:** The Preamble commits the Organization to "reaffirm faith in fundamental human rights, in the dignity and worth of the human person".
- **Establishing justice and respect for international obligations:** The Preamble and **Article 1(1)** emphasize the maintenance of justice and respect for treaty obligations as central aims.

> **Legal anchor: Article 1** lists the UN's purposes, including maintaining peace, developing friendly relations, achieving international cooperation on economic, social and humanitarian problems, and promoting human rights.

Principles that shape how objectives are pursued

- **Sovereign equality and peaceful dispute settlement: Article 2** sets out the principles that govern Member States' conduct—**sovereign equality**, **good-faith fulfillment of Charter obligations**, and **peaceful settlement of disputes**—which operationalize the Charter's objectives and constrain State behaviour in pursuit of them.
- **Non-use of force except as authorized:** The Charter's methods for maintaining peace (Security Council authority, collective measures) flow from these principles and the prohibition on the unlawful use of force.

Economic, social and humanitarian aims

- **Promotion of social progress and standards of living:** The Preamble and **Articles 55–56** require the UN to promote "higher standards of living, full employment, and conditions of economic and social progress and development," and call on Members to cooperate in achieving these goals.
- **Institutional mechanisms:** These objectives underpin the creation of specialized agencies and the UN's role in coordinating international economic and social policy.

Institutional and normative roles

- **General Assembly's codification mandate:** The Charter empowers the General Assembly to encourage the "progressive development of international law and its codification," linking the UN's objectives to law-making and normative development.
- **Practical effect:** The Charter's objectives are implemented through Security Council decisions, GA resolutions, treaties negotiated under UN auspices, and the work of UN organs and agencies, turning broad aims into concrete policies and legal instruments.

Key takeaway: The UN's objectives are both aspirational (peace, human rights, social progress) and operational (mechanisms and principles in the Charter that enable enforcement, cooperation, and law-making).

"do you think, how for the objectives have been successful?"

Bold summary: The UN's objectives (peace and security; friendly relations; human rights; social and economic progress; codification of law) have been partially successful: the Charter created durable global institutions and norms that prevented another world war and advanced law and development, but persistent armed conflicts, uneven human-rights protection, and Security Council politics have limited full achievement. **For Bangladesh (a UN member), these outcomes matter practically—peacekeeping, development programs, and human-rights mechanisms have been important tools, even if results are uneven**.

Legal anchors for the objectives

- **Charter Preamble and Article 1** set the UN's core aims: **maintain international peace and security; develop friendly relations; achieve international cooperation on economic, social and humanitarian problems; and promote human rights**.

- **Article 2** frames how those aims must be pursued (sovereign equality, peaceful settlement, non-use of force except as authorized).
- **Articles 55–56** commit Members and the Organization to promote higher standards of living, economic and social progress, and human rights.
- **Article 13** gives the General Assembly a mandate to encourage progressive development and codification of international law.

Where the UN has been **clearly effective**

- **Norm-creation and codification:** The Charter mandate and subsequent UN processes have produced binding treaties and widely accepted norms (human-rights treaties, humanitarian law instruments) and sustained codification work through UN organs and the ILC.
- **Institutional infrastructure:** The UN system created permanent organs (GA, Security Council, ECOSOC, ICJ) and specialized agencies that operationalize cooperation across many fields, turning Charter aims into ongoing programs and law-making forums.
- **Practical tools for members: Peacekeeping, development assistance, technical cooperation and human-rights mechanisms** have provided states (including Bangladesh) with resources and forums to pursue development and protect rights, reflecting Articles 55–56 and Article 1 purposes.

Where objectives remain **unfulfilled or constrained**

- **Peace and security limits:** The Charter's promise to prevent aggression is constrained by **Security Council politics and veto power**, which can block collective action and leave some conflicts unresolved; the Charter's framework (Article 2 principles and Council authority) creates both tools and political bottlenecks.
- **Uneven human-rights protection:** While universal human-rights norms exist, enforcement depends on State will and political context; the Charter's aims have not eliminated serious abuses in many regions despite treaty and monitoring mechanisms.
- **Development gaps:** Articles 55–56 set ambitious socio-economic goals, but **global inequality and uneven implementation** mean many objectives (standards of living, full employment) remain aspirational for large populations.

Why mixed results are legally predictable

- The Charter balances **aspirational objectives** with **State sovereignty and political decision-making** (Articles 1–2), so success depends on Member States' cooperation and political alignment; legal instruments create capacity but cannot substitute for political will.

Conclusion: The UN has been indispensable in creating global law, institutions, and practical mechanisms that advance its objectives, but structural limits—especially Security Council politics and reliance on State implementation—mean success is partial and uneven.

"write the procedure for becoming a member of United Nations?"

Bold summary: Admission to the United Nations is governed by Article 4 of the UN Charter: a State that is *peace-loving*, *accepts the Charter obligations*, and is *able and willing* to carry them out must be recommended by the Security Council and then admitted by a two-thirds General Assembly vote.

Legal basis

- **Primary rule: Article 4(1)–(2) of the UN Charter** sets the substantive conditions for membership and the two-step procedure (Security Council recommendation; General Assembly decision).
- **Voting rules:** the Security Council recommendation is taken under the Council's voting rules (including the role of permanent members) and the General Assembly admits by the majorities required for "important questions" (two-thirds of members present and voting).

Step-by-step procedure (practical sequence)

1. **Application submitted to the Secretary-General.** The aspiring State transmits a formal application and a declaration accepting the obligations of the Charter (practice and UN guidance implement Article 4's criteria).
2. **Security Council consideration and recommendation.** The Security Council examines whether the applicant meets Article 4's conditions and then votes on a recommendation to the General Assembly; a positive recommendation requires the affirmative votes prescribed by Article 27 (including no veto by any permanent member in practice).
3. **General Assembly decision.** Following a Security Council recommendation, the General Assembly votes on admission; admission is effected by a decision of the GA taken by a **two-thirds majority of members present and voting** for this "important question" under Article 18(2).
4. **Admission takes effect.** Once the GA adopts the resolution admitting the State, membership is formal and the State becomes a UN Member.

Judicial interpretation and limits

- **ICJ advisory opinion (1948)**: the International Court of Justice interpreted Article 4 and held that the conditions in Article 4(1) are **exhaustive** and that the Security Council should recommend admission when those conditions are met; political considerations outside Article 4 cannot lawfully add extra conditions. That opinion is authoritative on how the Charter's admission criteria must be applied in law.

Key practical points and documents

- **What to include:** formal application letter to the Secretary-General; a declaration accepting Charter obligations; evidence addressing the Article 4 criteria (peaceful conduct, capacity and willingness to carry out obligations).
- **Timing and politics:** although the legal test is Article 4, **Security Council politics (including vetoes)** often determine whether a recommendation is made; the ICJ opinion limits arbitrary exclusion but does not eliminate political realities.
- **Voting thresholds:** remember **Security Council affirmative vote (per Article 27 rules) and GA two-thirds majority** are required for admission.

"do you think that United Nations has played desired role in solving rohingya crisis? give your suggestions in this regard?"

Bold summary: The UN has taken important legal and political steps on the Rohingya crisis (fact-finding, Human Rights Council action, and an ICJ provisional-measures order) but has not fully prevented mass displacement or ensured accountability; stronger, coordinated use of UN investigative, protection, humanitarian and accountability tools is needed now.

What the UN has done so far

- **Fact-finding and reporting:** The UN Human Rights Council mandated an Independent International Fact-Finding Mission that produced detailed findings of massive violations by Myanmar's security forces, documenting crimes that implicate international criminal and human-rights law.
- **Political and humanitarian response:** UN agencies mobilized large-scale humanitarian assistance for refugees in Bangladesh and engaged in diplomacy and monitoring through the Office of the High Commissioner for Human Rights and UN country teams.
- **Judicial process at the ICJ:** The Gambia's case led the International Court of Justice to indicate **provisional measures** requiring Myanmar to prevent genocidal acts and preserve evidence, a binding judicial step toward accountability.

Key legal milestones and their meaning

- **Fact-finding reports** provide authoritative evidence that supports criminal investigations and international pressure; the 2018 mission's report is the evidentiary backbone for subsequent legal steps.
- **ICJ provisional measures** (January 2020) are legally binding and require Myanmar to take specific protective and evidentiary steps; they signal that the international legal system recognizes serious State obligations under the Genocide Convention.

Assessment of UN performance

- **Strengths:** The UN system produced rigorous documentation, sustained humanitarian relief in Cox's Bazar, and secured a binding ICJ order—tools that advance protection and accountability.
- **Limitations:** Political fragmentation (Security Council divisions), limited enforcement capacity, and Myanmar's non-cooperation have constrained prevention, safe returns, and on-the-ground accountability; humanitarian relief remains underfunded and returns are not yet safe or voluntary.

Practical suggestions

- **Scale up protection and humanitarian funding** and ensure predictable, long-term support for refugees and host communities in Bangladesh; prioritize shelter, education, and livelihoods (**immediate**).
- **Strengthen evidence preservation and international investigations** by expanding UN-mandated investigative capacity and supporting independent prosecutors to prepare cases for international or hybrid tribunals (**medium term**).
- **Use coordinated diplomatic pressure and targeted measures** (travel bans, asset freezes) by UN Member States and regional organizations to increase costs of non-compliance and incentivize cooperation (**political leverage**).
- **Link durable solutions to accountability**: any repatriation framework must be conditional on verifiable security, legal guarantees, and independent monitoring; the UN should make return contingent on ICJ/other legal benchmarks (**safety first**).

"discuss the power of General Assembly of the United Nations?"

Bold summary: The General Assembly (GA) is the UN's central deliberative, policy-making and representative organ with broad *recommendatory* powers to discuss any Charter matter, to promote codification and development of international law, to control the UN budget and to create subsidiary

organs — but its resolutions are generally non-binding except where the GA acts under specific Charter mandates (or under the "Uniting for Peace" practice), and it relies on moral and political authority rather than coercive enforcement.

Legal foundation

Charter basis: The GA's powers flow from **Chapter IV of the UN Charter** (Articles 10–22), which authorizes the Assembly to discuss "any questions or matters within the scope of the Charter," to make recommendations, to consider principles of peace and security, to encourage codification of international law, and to establish subsidiary organs.

Deliberative and recommendatory powers

- **Discussion and recommendations:** The GA "may discuss any questions or any matters within the scope of the present Charter" and **may make recommendations** to Members or the Security Council (Article 10) — this is the GA's core competence: broad agenda-setting and normative guidance.
- **Peace and security role (non-binding):** The GA may consider general principles of cooperation in maintaining peace and security and make recommendations, but it cannot supersede the Security Council's primary responsibility for enforcement under Chapter VII.

Law-making, codification and advisory functions

- **Progressive development and codification:** The GA is expressly empowered to **encourage progressive development and codification of international law** (Article 13) and routinely sponsors treaty negotiations and model laws that become binding when States consent.
- **Advisory opinions:** The GA may request **advisory opinions** from the International Court of Justice on legal questions, a powerful legal tool for clarifying law and guiding State practice (Article 96).

Institutional and budgetary powers

- **Subsidiary organs:** The GA may **establish subsidiary organs** necessary to perform its functions (Article 22), enabling it to create committees, commissions and bodies that shape policy and technical standards.
- **Budgetary control:** The GA approves the UN budget and apportions expenses among Members (Article 17), giving it leverage over program priorities and resource allocation.

Exceptional political leverage: Uniting for Peace

- **Uniting for Peace:** When the Security Council is deadlocked, the GA has used **Resolution 377 (V) "Uniting for Peace"** to recommend collective measures and convene emergency special sessions — a political mechanism that amplifies GA influence on urgent threats to peace.

Limits and practical effect

- **Non-binding nature:** Except where the Charter provides otherwise, GA resolutions are **recommendatory**; their power rests on **moral authority, political consensus, agenda-setting, and the creation of norms and institutions**, not on coercive enforcement.
- **Dependence on Member States:** Implementation depends on State cooperation and on other organs (Security Council, Secretariat, specialized agencies) to act on GA recommendations.

"explain - "subject to some exceptions, the decisions and proposals adopted by the general Assembly are mere instructive?""

Bold summary: **General Assembly (GA) decisions and resolutions are, by design, primarily *recommendatory*—they guide states and UN organs but do not create binding obligations for Member States—**with limited, well-defined exceptions (budgetary decisions, certain Charter-mandated functions, and exceptional political mechanisms such as “Uniting for Peace”).

Legal basis for the GA’s recommendatory character

The Charter gives the GA broad authority to discuss matters and to make recommendations; it does not generally confer binding legislative power on the Assembly. Article 10 confirms the GA “may make recommendations” on any matter within the Charter’s scope, which establishes the default non-binding nature of GA acts.

Explicit Charter exceptions where GA acts have stronger effect

- **Budgetary and important questions:** some GA decisions (e.g., budgetary apportionment and other “important questions”) require special majorities and have concrete legal/financial effects under Article 18 and Article 17 (budget approval), so they carry binding practical consequences for the Organization and Members’ financial obligations.
- **Subsidiary organs and functions:** the GA may establish subsidiary organs (Article 22) and initiate codification or studies (Article 13); the instruments and treaties that result from those processes can become binding when States consent.

Judicial guidance on legal effect

ICJ advisory opinions clarify that GA resolutions are generally recommendatory but can have legal significance depending on context and content. The Court has treated GA acts as evidence of opinio juris or as authoritative guidance (e.g., in the Namibia advisory context the Court examined GA acts to determine legal consequences). The Certain Expenses advisory opinion likewise treated GA budgetary determinations as “expenses of the Organization” for Article 17 purposes, showing that GA decisions can have binding fiscal effects within the Charter framework.

Political-legal exceptions and practice

- **Uniting for Peace:** where the Security Council is deadlocked, GA Resolution 377 (V) provides a political mechanism for the Assembly to recommend collective measures and convene emergency sessions; while recommendations remain non-binding, the resolution amplifies GA political authority and can mobilize collective action in practice.
- **Article 12 restraint:** the GA must refrain from making recommendations on disputes while the Security Council is exercising its functions on that dispute, except when the Council requests otherwise—this

limits GA action in certain peace-and-security contexts.

Practical takeaway for states (e.g., Bangladesh)

- **GA resolutions are important sources of political pressure, normative development, and evidence of State practice, but they do not by themselves create binding obligations for Member States**; binding effect arises only where the Charter or subsequent treaty practice provides (budget apportionment, treaty obligations, or Security Council/GA interplay).

"what do you know about the general assemblies sessions?"

Bold summary: General Assembly sessions are the UN's regular and special meetings where all Member States deliberate, set agendas, adopt recommendations, and decide budgetary and important questions; their timing, convocation and basic legal framework are set out in the UN Charter (notably Article 20 for sessions and Articles 9–11, 13, 18, 22 and 96 for composition, powers and procedures).

Overview — legal foundation

- **Composition:** The General Assembly (GA) "shall consist of all the Members of the United Nations" and each Member has representation under the Charter framework (Article 9).
- **Core mandate:** The GA may discuss any matter within the Charter's scope and **make recommendations** to Members or the Security Council, subject to Article 12 restraints when the Security Council is exercising its functions on a dispute (Articles 10–12).
- **Law-making and advisory roles:** The GA is expressly empowered to encourage the **progressive development and codification of international law** (Article 13) and to request **advisory opinions** from the ICJ (Article 96).

Legal citation: The Charter provisions governing these powers and composition are summarized in Chapter IV of the UN Charter.

Types of sessions and convocation

- **Regular sessions:** The GA **meets in regular annual sessions**; the timing and basic rule that the Assembly shall meet annually are set out in **Article 20** of the Charter.
- **Special sessions:** The GA may hold **special sessions** "as occasion may require"; such sessions are **convoked by the Secretary-General at the request of the Security Council or of a majority of the Members**.
- **Emergency/"Uniting for Peace" practice:** In practice, the GA can be convened for emergency special sessions under Resolution 377(V) when the Security Council is deadlocked on threats to peace (political practice beyond the Charter text).

Legal citation: Article 20 provides the formal rule on regular and special sessions.

Procedure, agenda and voting

- **Opening and agenda:** Sessions open with an agenda prepared by the Secretary-General and adopted by the Assembly; the GA may decide to meet abroad for parts of a session by its rules of procedure

(practice governed by Chapter IV and GA rules).
- **Representation and speaking:** Each Member has the right to be represented and to speak; procedural and substantive voting rules are set by the Charter and the Assembly's Rules of Procedure.
- **Voting majorities: Important questions** (including admission of new Members, budgetary matters) require a **two-thirds majority** of members present and voting under Article 18; other questions require a simple majority.

Legal citation: Voting and "important questions" are governed by Article 18 and related Charter provisions.

Powers, limits and practical effect

- **Recommendatory character:** GA resolutions are generally **recommendatory**, not binding on Member States, except where the Charter or subsequent treaty practice creates binding obligations (e.g., budget apportionment under Article 17).
- **Institutional reach:** The GA can establish subsidiary organs (Article 22), create committees, and steer international law and policy through resolutions, treaties and codification projects.

"discuss the composition, powers and functions of International Court of Justice?"

Bold summary: The International Court of Justice (ICJ) is the United Nations' principal judicial organ: it is composed of 15 independent judges elected for nine-year terms, exercises *contentious* and *advisory* jurisdiction under its Statute, decides disputes between States and gives advisory opinions, and its judgments are binding on parties though enforcement depends on UN mechanisms (notably Article 94 of the Charter) — these rules are set out in the ICJ Statute and Chapter XIV of the UN Charter, which govern composition, powers and functions.

Composition of the Court

- **Number and qualifications:** The Court **consists of 15 independent judges** elected regardless of nationality from persons of high moral character and recognized competence in international law; **no two judges may be nationals of the same State**.
- **Independence:** Judges sit in their individual capacity and must be independent of their governments; the Statute prescribes the professional qualifications and ethical standards for membership.

Election, terms and organization

- **Election process:** Judges are elected by the **United Nations General Assembly and the Security Council** by concurrent majority votes; terms are **nine years**, with staggered elections to ensure continuity.
- **Officers and chambers:** The Court elects a **President and Vice-President** from among its members and may sit in **chambers** for certain cases under Statute rules; administrative and procedural rules are set out in the Statute and Rules of Court.

Jurisdiction: contentious and advisory

- **Contentious jurisdiction:** The ICJ hears **legal disputes between States** that consent to its jurisdiction (by treaty clause, special agreement, or optional declaration accepting compulsory jurisdiction); only

States may be parties in contentious cases.
- **Advisory jurisdiction:** The Court may give **advisory opinions** on legal questions referred to it by authorized UN organs and specialized agencies; advisory opinions are authoritative legal guidance though not binding in the same way as judgments in contentious cases.

Powers, procedure and sources of law

- **Procedural framework:** The Statute and Rules of Court govern written pleadings, oral hearings, provisional measures, evidence, and remedies; the Court applies international law and decides on jurisdictional objections and merits under those procedures.
- **Sources of law:** The Court applies **treaties, customary international law, general principles of law, judicial decisions and scholarly writings** (Article 38 of the Statute) when resolving disputes; its reasoning contributes to the progressive development and clarification of international law.

Binding effect, compliance and enforcement

- **Binding judgments: Each UN Member undertakes to comply with ICJ decisions in cases to which it is a party**; if a party fails to perform obligations under a judgment, the other party may have recourse to the **Security Council**, which may recommend or decide measures to give effect to the judgment (Charter Article 94).
- **Practical limits:** Enforcement therefore depends on political will and Security Council action; the Court has no direct coercive enforcement arm and relies on the UN system and State compliance to implement its rulings.

Functions and significance

- **Peaceful dispute settlement:** The ICJ provides a **legal forum for peaceful resolution** of inter-State disputes and clarifies legal obligations.
- **Norm development:** Through judgments and advisory opinions the Court **interprets and develops international law**, influencing State practice and other tribunals.
- **UN system role:** As the UN's principal judicial organ, the ICJ links legal adjudication to the Charter framework and to UN organs that may seek its advisory guidance.

"who are eligible to be parties to a case instituted in the International Court of Justice?"

Bold summary: Only sovereign States may be parties in contentious cases before the International Court of Justice (ICJ); public international organizations are not parties, though the Court may request or receive information from them and must notify them when their constituent instruments are in issue.

Legal rule (who may be parties)

The controlling rule is Article 34 of the Statute of the International Court of Justice: "Only States may be parties in cases before the Court." This is the clear, primary legal limitation on standing in contentious proceedings before the ICJ.

Practical consequences of the rule

- **Only States can institute or be sued in contentious proceedings.** Non-State actors (individuals, corporations, NGOs, insurgent movements, sub-state entities) cannot be direct parties before the Court; they must rely on a State to bring a claim or to raise their issues in other fora.
- **Statehood and recognition matter in practice.** Whether an entity qualifies as a State for purposes of Article 34 is a question of international law and political practice; the Court's docket therefore reflects the reality that only entities recognized (or treated) as States can litigate as parties.

Role of international organizations and other actors

- **International organizations are not parties but may participate indirectly.** The Statute authorizes the Court, in conformity with its Rules, to request information from public international organizations and to receive information they present on their own initiative; the Registrar must notify an organization and provide written proceedings when the construction of its constituent instrument or a convention adopted thereunder is in question in a case.
- **Advisory route and evidence role.** UN organs and specialized agencies cannot be parties in contentious cases, but they can seek advisory opinions (under the Charter/Statute framework) and can supply evidence, expert reports or factual material that the Court may use in deciding a dispute.

Procedural and strategic implications

- **States remain gatekeepers.** Entities seeking international adjudication must secure a State sponsor or pursue an advisory opinion route through an authorized UN organ or specialized agency.
- **Third-party inputs are formalized.** When an organization's constituent instrument is directly at issue, the Court's procedural rules require notification and permit the organization to submit written material, ensuring its interests are formally recorded even though it is not a litigating party.

Sources: Statute of the International Court of Justice and authoritative commentary on Article 34 provide the legal basis for these points.

"write the role of International Court of Justice in establishing justice globally?"

Bold summary: The International Court of Justice (ICJ) is the UN's principal judicial organ that advances global justice by peacefully adjudicating State disputes, issuing authoritative advisory opinions, clarifying sources of international law, and shaping compliance norms—its legal framework is set out in the UN Charter (Chapter XIV) and the ICJ Statute (notably Articles 34, 36, 38, 59, 65–68, and Charter Articles 92–94). For states like **Bangladesh**, the ICJ's rulings and advisory opinions provide legal tools for dispute settlement, evidence-based norm development, and avenues to press for accountability in cross-border crises.

Legal basis and institutional role

- **Charter foundation:** The Court is established as the UN's principal judicial organ (UN Charter **Art. 92**) and all UN Members are parties to the Court's Statute (**Art. 93**) with an undertaking to comply with its decisions (**Art. 94**).
- **Statutory mandate:** The ICJ Statute defines who may be parties (Article **34**), the Court's jurisdictional bases (Article **36**), and the **sources of law** the Court applies (Article **38**).

Core functions that establish justice globally

- **Contentious adjudication (State disputes):** The ICJ decides legal disputes between States that consent to its jurisdiction, applying treaties, customary law and general principles (Statute **Arts. 34, 36, 38**). **Judgments are final and binding** between the parties (Statute; Charter **Art. 94**).
- **Advisory opinions:** Authorized UN organs and agencies may request legal opinions (Statute **Arts. 65–68**). Advisory opinions clarify legal questions, guide UN policy, and influence State practice even when not binding.
- **Provisional measures and urgent protection:** The Court can indicate provisional measures to preserve rights pending final decision, thereby preventing irreparable harm and contributing to immediate justice and stability.

How the ICJ shapes international law and practice

- **Clarification and development of law:** Through reasoned judgments the Court interprets treaties, identifies customary rules, and refines legal doctrines (Article **38** sources). Landmark cases (e.g., Corfu Channel, Nicaragua, Reparation advisory opinion, Wall advisory opinion) illustrate how the Court has defined State responsibility, use of force, and organizational personality.
- **Evidence of opinio juris and state practice:** ICJ reasoning and holdings are heavily relied upon by other courts, tribunals, and States as persuasive authority, accelerating the crystallization of norms (e.g., humanitarian law, environmental obligations).
- **Link to enforcement and political organs:** While judgments are binding, enforcement often requires political follow-up (Charter **Art. 94** refers unresolved non-compliance to the Security Council), so the ICJ's legal authority is complemented by political mechanisms.

Limits and practical impact

- **Consent and State-only contentious standing:** Only States may be parties (Statute **Art. 34**), limiting direct access for individuals and organizations; accountability for non-State actors often requires creative legal or political pathways.
- **Enforcement dependence:** The Court lacks coercive enforcement; compliance depends on State willingness and UN political will (Charter **Art. 94**).
- **Practical value for Bangladesh:** The ICJ offers Bangladesh legal avenues for cross-border disputes, authoritative interpretation of obligations (e.g., refugee protection, boundary issues), and a forum to seek remedies or advisory clarity that can strengthen domestic policy and international advocacy.

"discuss the role of discuss the role of SAARC to solve the problems of South Asian States?"

Bold summary: SAARC is a regional intergovernmental organisation created by the SAARC Charter to promote peace, stability and socio-economic cooperation in South Asia; its practical tools are political dialogue, regional trade frameworks, technical cooperation and a development fund, but effectiveness is limited by political distrust, weak enforcement mechanisms and episodic institutional capacity—Bangladesh should therefore push for stronger implementation, financing and people-to-people programmes.

Overview of SAARC legal basis and mandate

SAARC was established by the SAARC Charter to foster mutual understanding, good-neighbourly relations and meaningful cooperation among South Asian States; the Charter lists **peace, stability, social**

justice and economic prosperity among core objectives. The Secretariat and intergovernmental organs implement programmes and coordinate cooperation.

Core instruments and institutional tools

- **Charter and Secretariat** — the Charter provides the legal framework and the **SAARC Secretariat** in Kathmandu coordinates activities, hosts meetings and services the organisation's bodies.
- **Regional economic instruments** — trade liberalisation is pursued through agreements such as **SAFTA (South Asian Free Trade Area)** to increase intra-regional trade and reduce tariffs.
- **Financial mechanism** — the **SAARC Development Fund (SDF)** finances social, economic and infrastructure projects to translate policy into projects and regional public goods.
- **Decision-making bodies** — the **Council of Ministers, Standing Committee and technical working groups** set policy, approve programmes and monitor implementation.

What SAARC can do to solve South Asian problems

- **Political dialogue and conflict management:** SAARC provides a formal **platform for high-level dialogue** to reduce mistrust and manage bilateral tensions; its Charter emphasises peaceful settlement and non-interference.
- **Economic integration and poverty reduction:** Through **SAFTA and SDF** SAARC can lower trade barriers, fund cross-border infrastructure and support poverty-alleviation projects that benefit Bangladesh and neighbours.
- **Functional cooperation:** Working groups and technical committees coordinate cooperation in health, disaster management, education and connectivity—areas where joint action yields high returns with low political cost.
- **Humanitarian and disaster response:** SAARC can coordinate regional disaster relief and early-warning systems, leveraging Secretariat networks and SDF financing for rapid response.

Main constraints and why results are mixed

- **Political distrust and bilateral disputes** frequently stall SAARC summits and decisions, limiting implementation of Charter objectives.
- **Weak enforcement and limited binding authority**: SAARC decisions depend on Member State implementation; there is no supranational enforcement mechanism.
- **Resource and capacity gaps** at the Secretariat and in project financing slow delivery; SDF exists but needs scale and predictability to be transformative.

Practical recommendations for Bangladesh

- **Champion implementation:** push for a SAARC Implementation Monitoring Unit and transparent project trackers to convert decisions into action.
- **Scale the SDF:** advocate predictable, multi-year financing windows for cross-border infrastructure and refugee-sensitive social projects.
- **Prioritise low-politics cooperation:** expand health, climate resilience and connectivity projects that build trust and deliver visible benefits quickly.

- **Link SAARC to sub-regional initiatives:** use BIMSTEC and bilateral channels to keep cooperation moving when SAARC is stalled.

Role Area	Primary Mechanism	Expected Outcome
Political Dialogue	Summits, Council of Ministers	Reduced tensions; confidence building
Economic Integration	SAFTA, trade facilitation	Increased intra-regional trade; jobs
Project Finance	SAARC Development Fund	Funded regional projects; poverty reduction
Technical Cooperation	Working Groups, Secretariat	Shared services in health, disaster response

> Sources: .

"what are the barriers for achieving the major goals of SAARC?"

Bold summary: SAARC's major goals—regional peace, economic integration, social development and cooperation—are repeatedly blocked by political distrust (bilateral disputes), weak institutional authority, funding and capacity shortfalls, asymmetries among members, and persistent trade and connectivity barriers; these obstacles are rooted in the SAARC Charter's emphasis on sovereign equality and non-interference and in the limited legal/financial instruments available to the Secretariat and member agreements.

Legal and institutional root causes

- **Charter constraints:** The **SAARC Charter** prioritizes **sovereign equality, territorial integrity and non-interference**, which protects state prerogatives but limits supranational decision-making and enforcement—this legal design makes binding regional action difficult when political will is absent.
- **Limited Secretariat mandate and financing:** SAARC's Secretariat is a coordinating body without strong executive powers; the organisation lacks a reliable, large-scale regional budget or compulsory contributions that would allow enforcement or rapid project delivery.
- **Asymmetry of members:** Wide differences in **economic size, political priorities and capacities** among members (notably India vs smaller states) create bargaining imbalances that slow consensus on trade, connectivity and security measures.

Practical barriers to each major goal

- **Peace and political cooperation:** Bilateral disputes (e.g., India–Pakistan tensions) repeatedly freeze SAARC summits and cooperation; the Charter's non-interference rule reduces SAARC's ability to mediate or impose regional conflict-management measures.
- **Economic integration:** Although **SAFTA** exists to liberalize trade, **non-tariff barriers, rules-of-origin complexity, weak customs cooperation and political reluctance to open markets** keep intra-regional trade low compared with other regions.
- **Social and development cooperation:** The **SAARC Development Fund** and project instruments are under-capitalized and slow; limited project monitoring and implementation capacity reduce impact on poverty, health and education.
- **Connectivity and people-to-people links:** Visa restrictions, poor cross-border infrastructure and security concerns impede mobility and supply-chain integration despite formal agreements.

Barrier	Immediate effect	Legal/institutional source
Political distrust / bilateral disputes	Summit cancellations; stalled initiatives	Charter emphasis on sovereignty; practice
Weak Secretariat & funding	Slow project delivery; low SDF impact	SAARC institutional design; SDF scale
Trade barriers & NTMs	Low intra-regional trade	SAFTA commitments vs implementation gaps
Asymmetry among members	Consensus gridlock	Charter consensus decision-making

> **Sources:** .

How Bangladesh can respond (practical steps)

- **Push low-politics cooperation:** Prioritise health, disaster management and climate resilience projects that deliver quick wins and build trust (use SDF and technical committees).
- **Advance implementation of SAFTA rules:** Negotiate bilateral protocols to reduce non-tariff barriers and improve customs cooperation to increase trade flows for Bangladeshi exporters.
- **Use sub-regional and plurilateral tracks:** When SAARC is stalled, deepen BIMSTEC and bilateral cooperation to keep connectivity and development moving while preserving SAARC for political dialogue.

"give your opinion to make SAARC more effective?"

Bold summary: Make SAARC effective by strengthening its Secretariat and financing, prioritizing low-politics cooperation (health, disaster, connectivity), enforcing SAFTA implementation, and reforming decision-making to allow faster, project-level action—these changes build on SAARC's existing institutions and funding mechanisms and can be advanced by Bangladesh as a pragmatic leader.

Why reform is needed (quick legal-institutional facts)

- **Weak institutional capacity and coordination** limit delivery; the SAARC Secretariat is a coordinating hub but lacks executive powers and predictable resources to implement regional programmes at scale.
- **Funding exists but is under-capitalized**: the SAARC Development Fund (SDF) is the designated financing vehicle for regional projects but needs larger, predictable contributions and streamlined disbursement rules to be transformative.
- **Trade architecture is incomplete in practice**: SAFTA provides the treaty framework for tariff liberalization, but implementation gaps (non-tariff measures, customs cooperation) keep intra-regional trade low.
- **Charter design favours sovereignty and consensus**, which protects states but produces gridlock when political tensions rise; the Charter therefore needs complementary procedural fixes to enable action without undermining sovereignty.
- **Decision-making rests with political organs** (Summits, Council of Ministers) whose consensus rule and bilateral disputes often stall progress; empowering technical bodies for implementation would

reduce politicization.

Five priority reforms (what to do)

Reform area	Concrete change	Expected effect
Secretariat empowerment	Give Secretariat delegated authority for project procurement and monitoring; create an implementation unit	Faster project delivery; less summit-level delay
Finance scale-up	Convert SDF windows into multi-year funds with predictable contributions and a rapid-response tranche	More projects; quicker disaster/health response
Trade facilitation	Create a SAARC Customs Cooperation Protocol and a regional NTMs review mechanism	Increased intra-regional trade; reduced export costs
Decision-making	Allow qualified-majority for technical/operational decisions while preserving unanimity for political issues	Reduces paralysis on non-political matters
Plurilateral tracks	Permit willing members to pilot projects (opt-in) under SAARC umbrella	Keeps cooperation moving despite bilateral tensions

> **Sources:** .

Implementation roadmap (practical steps for Bangladesh)

- **Short term (6–12 months):** Propose a pilot SDF fast-track window for health and climate projects; push for a Secretariat Implementation Unit at the next Council meeting.
- **Medium term (12–36 months):** Lead a SAARC Customs Cooperation Protocol negotiation and a SAFTA implementation review; secure multi-year SDF pledges.
- **Political strategy:** Use BIMSTEC and bilateral channels to build coalitions for opt-in pilots, then scale successful pilots back into SAARC frameworks.

Risks and trade-offs

- **Sovereignty concerns:** Any delegation to the Secretariat must be narrowly defined and reversible.
- **Power asymmetries:** India's centrality means reforms require careful diplomacy to avoid perceptions of imbalance.
- **Funding discipline:** Predictable financing requires transparent accountability and measurable KPIs.

"write the background of establishment of WTO?"

Bold summary: The World Trade Organization (WTO) was created by the *Marrakesh Agreement* at the close of the Uruguay Round to replace and expand the General Agreement on Tariffs and Trade (GATT), establishing a permanent, rules-based institutional framework for trade in goods, services and intellectual property and a stronger dispute-settlement system; the WTO formally came into existence on 1 January 1995.

Historical background (why a new organization was needed)

- **Post-war trade regime:** After World War II States first governed multilateral trade under the **GATT (1947)**, a provisional treaty-based system that reduced tariffs and provided a forum for rounds of negotiation. Over decades GATT produced successive negotiating rounds but remained an agreement, not a full international organization.
- **Limits of earlier efforts:** Attempts to create a comprehensive post-war trade organization (the **Havana Charter**) failed in the late 1940s, leaving GATT as the practical multilateral framework; by the 1980s the scope of trade issues (services, intellectual property, agriculture, non-tariff barriers) had outgrown GATT's institutional design.

The Uruguay Round and the Marrakesh Agreement

- **Uruguay Round (1986–1994):** Negotiations launched in 1986 addressed gaps in the system and produced a comprehensive package of agreements covering **goods, services (GATS), intellectual property (TRIPS)** and new rules on agriculture and textiles, together with a reformed dispute-settlement mechanism.
- **Marrakesh Agreement (15 April 1994):** The Uruguay Round concluded with the **Marrakesh Agreement Establishing the World Trade Organization**, which **incorporated the GATT agreements as WTO Annexes** and created the WTO as a permanent institutional home for the multilateral trading system; the Agreement defines the WTO's scope, functions and structure and set the WTO's entry into force on **1 January 1995**.

Legal and institutional significance

- **From treaty to organization:** The WTO is a **multilateral international organization** with a Secretariat, Ministerial Conference, General Council and standing dispute-settlement bodies—unlike the earlier GATT regime, the WTO has clearer institutional permanence and procedures.
- **Broader legal coverage:** The WTO's legal corpus goes beyond tariffs to **services (GATS)**, **intellectual property (TRIPS)** and **rules on subsidies, safeguards and technical barriers**, creating a more integrated legal framework for trade policy and enforcement.

Practical consequences and legacy

- **Stronger dispute settlement:** One of the WTO's most consequential innovations was a **binding, time-bound dispute-settlement system** intended to make rulings more predictable and enforceable than under the old GATT practice.
- **Ongoing evolution:** The WTO institutionalized multilateral rule-making but also faces political and negotiating challenges; its creation marked a legal and institutional turning point in post-war economic governance and remains the central forum for global trade rules.

"what are its objectives?"

Bold summary: The WTO's core objectives are to promote a predictable, rules-based system of international trade that raises living standards, fosters full employment and sustainable development, expands production and trade in goods and services, and secures fair treatment for developing countries — these aims are set out in the *Marrakesh Agreement Establishing the World Trade Organization* (Preamble) and are implemented through the WTO's legal instruments (GATT 1994, GATS,

TRIPS) and institutional mechanisms (Ministerial Conference, General Council, Dispute Settlement Body).

Legal foundation (where the objectives appear)

- **Primary source:** the **Preamble of the Marrakesh Agreement Establishing the WTO** states the organization's objectives in political and economic terms (raising standards of living; ensuring full employment; expanding production and trade; sustainable development; special attention to developing countries).
- **Operational instruments:** those objectives are given effect through the WTO **Agreement and its Annexes** — notably **GATT 1994 (trade in goods), GATS (trade in services), TRIPS (intellectual property)** — and through the **Dispute Settlement Understanding (DSU)** and institutional rules that implement and enforce the objectives.

Core objectives (concise list with legal role)

- **Promote economic welfare and higher living standards.**
  Why it matters: trade liberalization and predictable rules are intended to increase real income and employment across Members. The Preamble frames this as a central policy goal.
- **Expand production and trade in goods and services.**
  Why it matters: the WTO's tariff bindings, market-access schedules and services commitments operationalize this objective.
- **Ensure sustainable development and environmental protection.**
  Why it matters: the Preamble links trade policy to sustainable development and encourages Members to reconcile trade expansion with environmental protection.
- **Secure special and differential treatment for developing and least-developed countries.**
  Why it matters: the Agreement and many WTO instruments include provisions and negotiating mandates to help developing Members benefit from trade growth.
- **Provide a predictable, rules-based system and effective dispute settlement.**
  Why it matters: the DSU and binding obligations reduce unilateral retaliation and create legal remedies for breaches, supporting the stability needed for trade to flourish.
- **Promote transparency and non-discrimination (MFN and national treatment principles).**
  Why it matters: these core GATT/GATS principles prevent arbitrary discrimination and underpin market access expectations.

How objectives are implemented (mechanisms)

- **Multilateral rule-making:** Negotiations at Ministerial Conferences and through Working Groups produce binding commitments and clarifications.
- **Monitoring and transparency:** Committees review Members' trade policies and schedules to ensure predictability.
- **Dispute settlement:** The DSU enforces rules and provides remedies, making objectives operational rather than merely aspirational.
- **Technical assistance:** WTO capacity-building and special provisions for developing Members translate objectives into practical support.

Practical takeaway for Bangladesh (actionable)

- **Use WTO rules to secure market access and dispute remedies;** engage actively in capacity-building and in negotiating special-and-differential provisions to protect development priorities.
- **Link trade policy to sustainable development goals** when negotiating commitments or seeking flexibilities under TRIPS and GATS.

"discuss its institutional structure and procedure of adopting decision?"

Bold summary: The WTO is a rules-based multilateral organization whose institutional structure centers on the *Ministerial Conference*, the *General Council* (which meets as the Dispute Settlement Body and Trade Policy Review Body), specialized Councils (Goods, Services, TRIPS), and a Secretariat in Geneva; decisions are normally taken by *consensus* under Article IX of the Marrakesh Agreement, with voting as a formal fallback—this affects how Bangladesh and other Members shape commitments and resolve disputes.

Institutional structure (who does what)

- **Ministerial Conference (highest political organ):** meets at least every two years; it provides overall direction and can take decisions on all WTO matters.
- **General Council:** acts between Ministerials and meets regularly; it also convenes as the **Dispute Settlement Body (DSB)** and the **Trade Policy Review Body (TPRB)** to carry out those specific functions.
- **Specialized Councils and Committees:** the **Council for Trade in Goods, Council for Trade in Services, and TRIPS Council** supervise implementation of the GATT, GATS and TRIPS rules; numerous committees (customs, subsidies, SPS, TBT, etc.) handle technical work.
- **Secretariat:** headed by the **Director-General**, the Secretariat provides technical support, research, and administrative services and services the Councils and Ministerial Conference.
- **Dispute settlement and plurilateral bodies:** panels and the Appellate Body (when constituted) operate under the DSU; the DSB adopts panel and Appellate Body reports and supervises implementation.

*(Important: **WTO headquarters: Geneva; Ministerial = top political decision-making forum; General Council = day-to-day governance**.)*

Procedure for adopting decisions

- **Default rule — consensus:** The Marrakesh Agreement preserves the GATT practice that the **WTO "shall continue the practice of decision-making by consensus"**; in practice, consensus means no Member formally objects to a proposed decision.
- **Voting as fallback:** If consensus cannot be reached, the Agreement provides voting procedures (simple majority or special majorities for certain matters), but Members rarely invoke formal votes because consensus is the political norm.
- **Practical dynamics:** Because **consensus gives each Member de facto blocking power**, much negotiating occurs in smaller "green-room" or plurilateral formats before formal meetings; this practice has generated debate about transparency and inclusiveness.
- **Dispute settlement decisions:** Panel and Appellate Body reports are adopted by the DSB unless a Member blocks adoption; implementation supervision and remedies follow DSB procedures and timetables set out in the DSU.

Practical implications for Members (including Bangladesh)

- **Consensus culture means diplomacy matters as much as legal arguments;** technical committees and the Secretariat are key venues to shape outcomes before Ministerials.
- **Use the General Council and committees** to build coalitions and to table proposals; where consensus stalls, Members may pursue plurilateral agreements among willing participants.

Sources: Marrakesh Agreement (structure and decision rules); WTO legal texts and organizational charts; contemporary analyses of consensus practice.

"discuss the background of establishment of NATO?"

Bold summary: NATO (North Atlantic Treaty Organization) was created by the Washington Treaty signed on 4 April 1949 to provide a collective-defence and political framework for Western states facing post-war instability and Soviet expansion; its founding combined military deterrence (Article 5) with political consultation (Article 4) and institutional coordination (Council under Article 9). For **Bangladesh/Dhaka**, NATO's creation shaped the Cold War order that influenced global alignments, aid flows and regional security architectures that indirectly affected South Asia.

Historical background and drivers

- **Post-World War II insecurity:** Western Europe was economically devastated and politically fragile; leaders feared both a **resurgent militarism in Europe** and **Soviet political and military expansion** into Central and Eastern Europe. The need for a durable security guarantee and U.S. engagement in Europe became central drivers for a transatlantic alliance.
- **Predecessor arrangements:** Early steps toward collective security included the **Brussels Treaty (1948)** among Western European states and the U.S. **Marshall Plan** for economic recovery; these political and economic measures created momentum for a formal military-political alliance that would bind North America and Western Europe together.

The Washington Treaty and founding facts

- **Founding instrument:** The **North Atlantic Treaty (Washington Treaty)** was signed in Washington, D.C., on **4 April 1949** by **12 founding Parties** (including the United States, United Kingdom, France, Canada, Belgium, Netherlands, Luxembourg, Norway, Denmark, Portugal, Italy and Iceland) and established NATO as a collective-defence organization and consultative forum.
- **Core legal commitments:** The Treaty's **Preamble** frames NATO's purpose—safeguarding freedom, democracy and the rule of law and promoting stability in the North Atlantic area—while **Article 1** commits Parties to peaceful dispute settlement and refraining from the threat or use of force inconsistent with the UN Charter. The Treaty's most famous provision, **Article 5**, obliges Parties to consider an armed attack against one as an attack against all and to take action, including armed force, to restore and maintain security; **Article 4** provides for consultation when a Party's security is threatened; **Article 9** establishes the North Atlantic Council as the organization's principal political decision-making body.

Why it mattered and legacy

- **Deterrence and U.S. engagement:** NATO institutionalized **U.S. military presence in Europe** and created a credible collective-defence posture that deterred large-scale aggression during the Cold War and anchored Western security policy thereafter.
- **Political and military evolution:** Over time NATO expanded membership, adapted missions (out-of-area operations, crisis management, partnership programs) and became a central actor in Euro-Atlantic security governance; its founding treaty remains the legal backbone for those activities.

"discuss the management structure of NATO?"

Bold summary: NATO's management structure is a dual political-and-military system built around the North Atlantic Council (NAC) as the principal political decision-making body, a Military Committee advising on defence matters, and a civilian Secretariat led by the Secretary-General; the Alliance's legal foundation and core commitments are in the North Atlantic Treaty (notably Articles 4, 5 and 9), while day-to-day organisation and bodies are described in NATO institutional materials.

Legal foundation

- **Treaty basis:** The **North Atlantic Treaty (Washington, 4 April 1949)** creates NATO's legal framework: **Article 4** (consultation), **Article 5** (collective defence) and **Article 9** (establishment of the Council) are the key treaty provisions that underpin the Alliance's management and political functions.

Principal political organs

- **North Atlantic Council (NAC):** The NAC is the Alliance's **principal political decision-making body**, composed of Permanent Representatives (ambassadors) of each member and chaired by the Secretary-General; it oversees policy, approves military plans and coordinates committees across the Alliance.
- **Ministerial and Summit levels:** The NAC meets at **ministerial** and **summit** levels for higher-political direction; the NAC's decisions set Alliance policy and direct subordinate bodies.

Military structure

- **Military Committee (MC):** The MC, composed of member states' Chiefs of Defence (or their representatives), **advises and assists the NAC** on military policy and requirements; it provides direction to the International Military Staff and to the NATO command structure.
- **Allied Command Structure:** Operational command is exercised through the strategic commands (e.g., Allied Command Operations) and subordinate joint/combined commands; Supreme Allied Commanders (e.g., SACEUR) lead operational forces under political direction from the NAC and MC.

Civilian Secretariat and leadership

- **Secretary-General and International Staff:** The **Secretary-General** is the Alliance's chief civil official, chairs the NAC, represents NATO externally and manages the **International Staff** (civilian Secretariat) that provides policy, administrative and technical support to Councils and committees.
- **Agencies and bodies:** NATO also comprises agencies (logistics, communications, standardisation) and partnership/consultation bodies that support capability development and cooperation.

Decision-making procedure and practice

- **Consensus practice:** NATO operates primarily by **consensus** in the NAC; formal voting is rare and political agreement is the norm, giving each member effective influence over Alliance decisions.
- **Consultation and crisis procedures:** Article 4 consultations are used when a member's security is threatened; Article 5 remains the collective-defence commitment that the NAC can invoke and implement through military structures.

Practical implications and strengths/limits

- **Strengths:** Clear political-military linkage, rapid consultation mechanisms, and an integrated command structure enable coordinated deterrence and crisis response.
- **Limits:** Consensus can slow decision-making on politically sensitive issues; operational effectiveness depends on national contributions and political will.

"do you think that Ukraine was on the right track to make a decision to be incorporated in NATO?"

Bold summary: Legally and politically, Ukraine had every right to seek NATO membership under Article 10 of the North Atlantic Treaty; whether it was "right" as a strategic choice depends on trade-offs — it strengthened Ukraine's security alignment and reform agenda but also predictably provoked a hostile Russian response and required careful sequencing (Membership Action Plan, unanimous Alliance invitation) to manage escalation.

Legal right and NATO's accession rules

- **Ukraine's right to apply: Article 10** of the Washington Treaty allows NATO to invite any European state "in a position to further the principles of this Treaty" to accede by unanimous consent; accession is therefore a sovereign choice by the aspirant and a political decision by Allies.
- **Practical accession pathway:** NATO's **Membership Action Plan (MAP)** and related assistance are the institutional route for aspirants to demonstrate political, military and legal readiness; participation in MAP does not guarantee invitation but structures reforms and interoperability requirements.

Strategic benefits of seeking NATO membership

- **Security guarantees and deterrence:** NATO membership would offer **collective-defence assurances under Article 5**, increasing deterrence against external aggression and anchoring Ukraine in Euro-Atlantic security structures.
- **Acceleration of reforms:** The accession process incentivizes **defence, governance and anti-corruption reforms**, strengthening state capacity and interoperability with Allies (a practical MAP effect).

Predictable risks and geopolitical costs

- **Provocation and escalation risk:** NATO enlargement into areas Russia considers strategic has historically raised tensions; the **Bucharest 2008** language welcoming Ukraine's aspirations was explicitly noted by Moscow as a red line, illustrating how declarations can affect regional stability.
- **Unanimity and political feasibility:** Even if Ukraine sought membership, **all Allies must agree**; political divisions among Allies and concerns about immediate escalation can delay or block accession despite legal permissibility.

Was it the “right” track?

- **Legally justified and strategically understandable:** From a sovereignty and deterrence perspective, **Ukraine’s pursuit of NATO membership was a legitimate and rational policy** to secure long-term safety and Western integration.
- **But the timing and sequencing mattered:** A phased approach — deepening partnership, completing MAP benchmarks, securing clear Allied political commitments and calibrated diplomacy to manage Russian reactions — would have reduced risks compared with abrupt moves toward formal accession without broad consensus and de-escalatory measures.

Practical lessons and policy implications

- **For aspirant states: Pursue MAP-style reforms, build broad Allied consensus, and pair security aspirations with confidence-building diplomacy** to lower escalation risks.
- **For Allies: Balance the Open Door (Article 10) with realistic assessments of regional stability and coordinated deterrence-and-dialogue strategies** to avoid unintended conflict while upholding sovereign choice.

"what is the law of International organisation?"

Bold summary: The “law of international organizations” is the body of rules that governs the creation, powers, legal personality, internal functioning and responsibility of intergovernmental organizations; its sources are treaties that establish organizations, customary international law, general principles, the Vienna Convention on Treaties and State/organ practice, and it is interpreted and applied through judicial and doctrinal authorities.

Definition and scope

What it covers: The law of international organizations regulates **(1)** how organizations are created and endowed with legal personality, **(2)** the scope and limits of their powers, **(3)** relations between organizations and Member States, and **(4)** the responsibility and accountability of organizations and their organs. This field treats organizations as distinct subjects of international law with rights and duties derived from their constitutive instruments and practice.

Primary sources and legal foundations

Key sources: The principal legal sources are **constitutive treaties (the founding instruments), subsequent agreements and protocols, customary international law, general principles of law, and relevant judicial decisions and scholarly writings**. The International Law Commission’s work and doctrinal syntheses explain how these sources interact when defining an organization’s competence and obligations.

Treaties, customary law and interpretation

- **Treaties** (the constitutive instrument) are the starting point: they define membership, organs, competence and decision-making rules.
- **Customary international law** and **general principles** fill gaps where the treaty is silent and help determine implied powers and immunities.
  These sources are used together to interpret an organization’s legal capacity and limits.

The Vienna Convention and treaty rules

Treaty law governs formation and interpretation. The **Vienna Convention on the Law of Treaties** supplies general rules on treaty interpretation, amendment, succession and invalidity that apply to constitutive instruments and to agreements concluded by organizations; Articles on interpretation and pacta sunt servanda are especially relevant when assessing an organization's obligations and the binding effect of its acts.

Responsibility, accountability and enforcement

Responsibility of organizations: International organizations can bear international responsibility for wrongful acts; the ILC's Draft Articles on the Responsibility of International Organizations and state practice set out how breaches are attributed, what remedies are available, and how responsibility interacts with Member State obligations. **Enforcement is primarily political and diplomatic** (implementation by Members, supervisory organs, or recourse to international courts where jurisdiction exists), because organizations lack coercive enforcement beyond what States and other organs provide.

Practical takeaway: To assess any organization's legal position, start with its constitutive treaty, apply Vienna Convention rules for interpretation, check relevant customary rules and ILC guidance on responsibility, and consult judicial or authoritative doctrinal sources for contested points.

"how could you define the legal basis of the formation of International organisation?"

Bold summary: The legal basis for forming an international organization is primarily the *constitutive treaty* (the organization's founding instrument), interpreted and applied under general treaty law (notably the Vienna Convention rules), supplemented by State practice, customary international law, judicial decisions (e.g., the ICJ's Reparation for Injuries opinion) and the law on responsibility of international organizations; together these sources determine an organization's legal personality, powers and limits. For Bangladesh, this means joining or creating an IO rests on a clear founding treaty, compatible domestic law, and predictable international obligations.

Core rule — the constitutive instrument

- **Constitutive treaty as the primary source.** An IO is created when States adopt a *founding treaty/charter* that specifies **membership, organs, competence, decision-making and legal capacity**; that treaty is the legal basis for the organization's existence and powers.
- **Practical content to include:** explicit **objectives**, **organs**, **legal personality**, **capacity to conclude agreements**, and **financial/administrative rules**.

Treaty law and interpretation

- **Treaty rules apply.** The founding treaty is interpreted under general treaty law principles (pacta sunt servanda; good faith; ordinary meaning and context). Key treaty-law rules used to read constitutive instruments include the Vienna Convention rules on interpretation and obligations.

- **Implication:** ambiguities in a charter are resolved by treaty interpretation principles to determine implied powers and limits.

Legal personality and judicial recognition

- **International legal personality derives from the constitutive instrument and State practice.** The International Court of Justice's advisory reasoning (notably *Reparation for Injuries*, 1949) recognizes that organizations created by States may possess international legal personality to perform functions assigned by their constitutive instruments.
- **Effect:** legal personality allows an IO to conclude treaties, own property, and bring claims in some fora.

Supplementary sources: custom, general principles, and practice

- **Customary international law and State practice** fill gaps where the treaty is silent (e.g., immunities, privileges, implied powers).
- **General principles of law** and authoritative doctrine help resolve interpretive or lacunae issues.

Responsibility and limits

- **Organizational responsibility:** IOs can incur international responsibility for wrongful acts; the ILC's Draft/Articles on the Responsibility of International Organizations set out attribution, breach and remedies principles that apply when an IO acts beyond or contrary to its mandate.
- **Member State obligations:** Member States remain bound by their treaty commitments; conflicts between an IO act and a Member's obligations are resolved by reference to the constitutive treaty and general international law (including the rule that UN Charter obligations prevail where relevant).

Quick comparison (sources and legal effect)

Source	What it provides	Legal effect
Constitutive treaty/charter	Creation, organs, powers	Primary, binding on founders
Vienna Convention / treaty law	Interpretation rules; pacta sunt servanda	Governs reading and amendment
Customary law & practice	Implied powers; immunities	Fills gaps; persuasive/binding by practice
ICJ jurisprudence	Recognition of personality; interpretation	Authoritative guidance
ILC articles on IO responsibility	Attribution and remedies	Framework for liability and reparations

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Practical checklist for forming an IO (for policymakers)

- **Draft a clear constitutive treaty** stating purpose, membership rules, organs, legal personality and amendment procedure.
- **Ensure domestic enabling legislation** in founding States to permit treaty ratification and transfer of competences.
- **Address immunities, privileges and headquarters agreements** with host State.
- **Build State practice and registration** (e.g., UN deposit/notification) to consolidate personality and treaty relations.

"explain - what is the legal status of an international organisation?"

Bold summary: An international organization (IO) is a distinct subject of international law with *international legal personality*—it can hold rights and duties, conclude treaties, own property, and incur international responsibility—this status flows from its constitutive treaty and State practice and was authoritatively recognized by the ICJ in *Reparation for Injuries*. For Bangladesh, that means any IO it joins or hosts has enforceable capacities and obligations under international law.

Core legal content of an IO's status

- **Source of status — the constitutive instrument.** An IO's legal existence and powers derive primarily from its *founding treaty or charter*; that instrument defines membership, organs, legal capacity and decision-making. **The constitutive treaty is the primary legal basis** for the organization's rights and duties.
- **Judicial recognition of personality.** The International Court of Justice held that an organization created by States may possess international legal personality to perform functions assigned to it and to bring claims on its own behalf; this principle is central to the IO concept.
- **Practical capacities that follow.** With personality an IO typically has the capacity to **conclude treaties, acquire and dispose of property, enter contracts, sue and be sued (where permitted), and enjoy privileges and immunities necessary for its functions**; these capacities are exercised within limits set by the constitutive instrument and State practice.

Limits and legal constraints

- **Powers are derivative and limited.** An IO's competence is **derived from Member States** and confined to what the constitutive treaty authorizes; implied powers may be recognized by interpretation and practice but cannot override express limits.
- **Accountability and responsibility.** When an IO acts beyond or contrary to its mandate it can incur **international responsibility**; attribution and remedies follow the rules developed in State practice and doctrinal frameworks (the IO is not immune from legal consequences of ultra vires acts).
- **Interaction with Member State obligations.** Conflicts between IO acts and Member obligations are resolved by reference to the constitutive treaty, general international law and applicable rules on treaty interpretation and priority; Member consent and subsequent practice are decisive.

Functional and procedural implications

- **Privileges and immunities are functional.** Host-state agreements and internal rules normally grant IOs and their officials privileges and immunities necessary for independent functioning, but these are **derivative and subject to negotiation** with States.

- **Judicial and quasi-judicial remedies.** IOs may be subject to adjudication (domestic or international) depending on treaty clauses, waiver of immunity, or specific dispute-settlement mechanisms; the ICJ and other tribunals provide interpretive guidance on IO status and limits.

Key authorities (illustrative)

- **ICJ, *Reparation for Injuries* (1949)** — authoritative recognition of IO legal personality and capacity to bring claims.
- **Doctrinal and comparative analyses** — explain how constitutive treaties, State practice and general principles determine capacities, immunities and responsibility.

"discuss the historical background of the establishment of United Nations?"

Bold summary: The United Nations was created in 1945 to prevent another world war by replacing the failed League of Nations with a stronger, rules-based system for collective security, international cooperation and postwar reconstruction; its Charter was drafted at the San Francisco Conference after preparatory agreements at Dumbarton Oaks and Yalta and entered into force as the UN's founding instrument.

Historical drivers

- **Devastation of World War II and failure of earlier arrangements.** The scale of destruction in 1939–45 convinced Allied states that a durable, institutionalized system was needed to maintain peace, coordinate reconstruction and manage international relations—lessons learned from the League of Nations' inability to prevent aggression informed the new design.

Pre-conference planning

- **Atlantic Charter and wartime cooperation.** Allied wartime statements such as the **Atlantic Charter** (1941) set political goals—self-determination, economic cooperation and collective security—that shaped postwar institutional thinking and provided political momentum for a global organization.
- **Dumbarton Oaks and Yalta blueprints.** In 1944 the **Dumbarton Oaks** proposals (U.S., U.K., USSR, China) sketched the UN's principal organs and functions; the **Yalta Conference** (February 1945) resolved key questions about Security Council composition and veto arrangements, creating the framework the San Francisco delegates would finalize.

San Francisco Conference and the Charter

- **Drafting and signature.** Delegates from **50 nations** met at the United Nations Conference on International Organization in **San Francisco (April–June 1945)** to negotiate and adopt the UN Charter; the Conference worked from the Dumbarton Oaks and Yalta texts, incorporated amendments proposed by governments, and produced the Charter and the ICJ Statute as the UN's founding legal instruments.
- **Legal outcome.** The **UN Charter** established the UN's purposes (peace and security, human rights, social and economic cooperation), principal organs (General Assembly, Security Council, Secretariat, ICJ, Economic and Social Council, Trusteeship Council) and the legal basis for collective action under the Charter framework.

Significance and legacy

- **Institutional innovation.** Unlike earlier ad hoc arrangements, the UN combined **political authority (Security Council) with universal membership and a permanent Secretariat**, creating mechanisms for both collective security and broad multilateral cooperation; the Charter's mix of binding Security Council powers and General Assembly universality remains the UN's defining legal architecture.
- **Enduring impact.** The UN shaped postwar decolonization, development policy, human-rights law and multilateral diplomacy; its Charter continues to be the primary legal reference for international peace and security despite political challenges in implementation.

"what are its objectives?"

Bold summary: The United Nations' objectives are to maintain international peace and security, develop friendly relations among nations, achieve international cooperation on economic, social and human-rights issues, and harmonize actions to solve global problems — these aims are set out in the UN Charter Preamble and Article 1 and are given operational force by Articles 2, 55 and 56. For **Bangladesh**, these objectives provide legal bases for peacekeeping participation, development cooperation, human-rights advocacy and treaty-based assistance.

Legal foundation

Primary legal source — the **UN Charter Preamble and Article 1** establish the Organization's purposes and provide the legal foundation for all UN activity: saving succeeding generations from war; reaffirming human rights; establishing conditions for justice and respect for treaty obligations; and promoting social progress and better standards of life.

Core objectives (Article 1 explained)

- **Maintain international peace and security.** The Charter tasks the UN with taking effective collective measures for the prevention and removal of threats to the peace and for the suppression of acts of aggression.
- **Develop friendly relations among nations.** The UN must promote respect for the principle of equal rights and self-determination of peoples and encourage cooperation in solving international problems.
- **Achieve international cooperation.** The UN seeks to solve economic, social, cultural and humanitarian problems and to promote human rights and fundamental freedoms for all.

Each of these is an explicit Charter objective and guides the mandates of the Security Council, General Assembly and specialized agencies.

Underpinning principles and complementary objectives

- **Principles that enable objectives.** Article 2 sets out **sovereign equality of Members, peaceful settlement of disputes, non-use of force except as authorized by the Charter, and fulfilment in good faith of treaty obligations** — these principles constrain and enable UN action to meet its objectives.
- **Economic and social development as peace prerequisites.** Articles 55–56 require the UN to promote conditions of stability and well-being (higher living standards, full employment, solutions to

international economic, social and health problems) and call on Members to cooperate in achieving these aims.

How objectives are implemented and their legal effect

- **Operational mechanisms.** The Charter channels objectives into action through the **Security Council (collective security), General Assembly (policy and coordination), ECOSOC (economic/social cooperation), and the Secretariat (implementation)**; treaty obligations and Security Council decisions give legal force to specific measures.
- **Practical legal consequences.** Charter objectives create binding obligations where the Charter or Security Council so provides (e.g., sanctions, peacekeeping mandates) and normative expectations elsewhere (e.g., human-rights promotion, development assistance) that shape State practice and treaty law.

"how far those objectives have been achieved? give your suggestions in this regard?"

Bold summary: The UN has partially achieved its Charter goals: it has substantially reduced great-power war risk, overseen decolonization, created a dense system of treaties and agencies for development and human rights, and provided peacekeeping and humanitarian action — but persistent gaps remain in enforcement, Security Council politics, and delivery on development and human-rights promises; legal reform, stronger financing, and clearer compliance mechanisms would materially improve outcomes.

What the Charter required (legal anchors)

- **Primary objectives:** The UN Charter's **Preamble and Article 1** set the core aims: *maintain international peace and security; develop friendly relations; achieve international cooperation on economic, social and humanitarian problems*.
- **Complementary duties: Article 2** frames sovereign equality and peaceful dispute settlement; **Articles 55–56** link peace to economic and social progress; **Article 94** requires Members to comply with ICJ decisions and provides a route for enforcement via the Security Council.

How far those objectives have been met (concise assessment)

- **Peace and security — partial success.** The UN has **reduced the incidence of inter-State wars among major powers** and institutionalized collective responses (Security Council, peacekeeping), contributing to global stability. However, **intra-state conflicts, mass atrocities and great-power rivalry** have limited full achievement of the Charter's peace aims.
- **Friendly relations and decolonization — strong success.** The UN provided the legal and political framework that enabled **widespread decolonization and new statehood**, fulfilling the Charter's self-determination objective.
- **International cooperation on development and human rights — mixed results.** The UN system created treaties, agencies and norms (human-rights covenants, development agencies, SDG architecture) that advanced welfare and rights, but **implementation gaps, financing shortfalls and uneven State compliance** mean many Charter development goals remain unmet.

- **Rule of law and compliance — legally robust but politically constrained.** The Charter and subsidiary instruments (e.g., ICJ Statute) provide legal mechanisms, yet **enforcement often depends on Security Council politics and Member State will**, limiting consistent application of Charter obligations.

Main legal and practical barriers

- **Security Council politics:** The Council's central role in enforcement is undermined when **vetoes block collective action**, creating legal authority without reliable political execution.
- **Fragmented financing and capacity:** Many UN mandates lack predictable funding and rapid-response capacity, weakening delivery on Articles 55–56 goals.
- **Sovereignty and consent limits:** The Charter's respect for sovereignty (Article 2) constrains intrusive measures even where humanitarian or development needs are acute.

Targeted suggestions (legal and institutional)

- **Clarify and codify veto restraint** for mass-atrocity situations (political commitment plus a formal code of conduct in Council practice).
- **Create a predictable UN financing window** for peacekeeping, humanitarian surge and SDG acceleration (multi-year assessed contributions or a replenishment facility).
- **Strengthen compliance tools**: expand independent monitoring, use graduated measures short of force (targeted sanctions, referral mechanisms), and improve linkage between Security Council decisions and development financing.
- **Empower regional-UN partnerships** to combine legitimacy, local knowledge and rapid deployment for conflict prevention and post-conflict recovery.

"what laws are applicable in the procedure of the International Court of Justice?"

Bold summary: The International Court of Justice (ICJ) applies substantive law listed in *Article 38(1) of its Statute* (treaties, customary international law, general principles, and subsidiary means) and conducts cases under the ICJ Statute (Chapters II–IV) together with the Court's Rules of Court and general treaty-interpretation law (e.g., Vienna Convention principles) — these instruments together define what law the Court applies and how proceedings are run.

Primary sources of law the ICJ applies

- **Treaties (conventions):** Written agreements between States relevant to the dispute; the Court gives effect to treaty text and parties' consent as primary law.
- **Customary international law:** Evidence of *state practice* and *opinio juris* is used where no treaty governs the issue.
- **General principles of law:** Principles common to major legal systems (e.g., estoppel, good faith) fill gaps.
- **Subsidiary means:** Judicial decisions and the teachings of the most highly qualified publicists are used as subsidiary means of determination and interpretation.

> **Legal anchor:** This catalogue is the ICJ's own list in **Article 38(1) of the Statute of the Court** and is the starting point for every judgment.

Procedural law governing ICJ proceedings

- **Statute provisions on procedure:** The ICJ Statute contains the Court's competence and procedural framework (notably **Articles 34–38 on jurisdiction and applicable law** and **Articles 39–64 on procedure, written and oral proceedings, evidence and provisional measures**) which govern how cases are brought, pleaded and decided.
- **Rules of Court:** The Court's detailed **Rules of Court** (adopted under the Statute) set filing deadlines, memorial and counter-memorial formats, oral-hearing practice, evidence rules and provisional-measure procedures; they operationalize the Statute's procedural chapters.

Jurisdiction, admissibility and remedies

- **Consent-based jurisdiction:** The ICJ may hear a case only where States have consented (special agreement, compromissory clause in a treaty, optional clause declarations, or UN Charter referral); the Statute and practice set the admissibility tests and preliminary objection procedures.
- **Remedies and binding effect:** Final judgments are binding between the parties and have no binding force except between the parties and in respect of that particular case; the Statute and Charter provide the legal framework for implementation and Security Council follow-up where compliance issues arise.

Interpretation rules and subsidiary law

- **Treaty interpretation:** When treaties are at issue, the Court applies ordinary rules of treaty interpretation (text, context, object and purpose) consistent with the Vienna Convention on the Law of Treaties; the Court frequently cites these principles in construing parties' obligations.
- **Use of precedents and doctrine:** While not strictly bound by stare decisis, the ICJ gives persuasive weight to prior decisions and scholarly writings as subsidiary means of law-finding under Article 38(1)(d).

Practical implications for litigants

- **Build a multi-layered legal case:** Parties must marshal treaty texts, evidence of customary practice, general-law arguments and persuasive jurisprudence; procedural compliance with the Statute and Rules is essential to preserve claims and evidence.
- **Expect preliminary jurisdictional litigation:** Many cases turn first on jurisdiction/admissibility under Articles 36–38, so early strategic focus on consent and standing is critical.

"explain the brief history of the creation of the European Union?"

Bold summary: The European Union (EU) grew from post-World War II efforts to bind European states economically and politically so war would be "made materially impossible"; it began with the 1950 Schuman plan and the 1951 Coal and Steel Community, expanded into the European Economic Community by the 1957 Treaties of Rome, and evolved through successive treaties (Single European Act, Maastricht, Amsterdam, Nice, Lisbon) into today's EU with single-market, monetary and political dimensions.

Immediate postwar origins

After World War II European leaders sought institutional arrangements to secure peace and rebuild economies. The **Schuman Declaration (9 May 1950)** proposed pooling coal and steel production as a first concrete step toward integration; that political initiative set the agenda for supranational cooperation and is widely regarded as the EU's starting point.

First legal steps: Coal, Steel and the Common Market

The **Treaty of Paris (1951)** created the **European Coal and Steel Community (ECSC)** for six states (France, West Germany, Italy, Belgium, Netherlands, Luxembourg), establishing supranational institutions to manage key war-making industries and to foster economic interdependence. Building on that success, the **Treaties of Rome (25 March 1957)** created the **European Economic Community (EEC)** and Euratom, launching a broader **common market** and customs union that deepened economic integration.

Deepening and widening integration

From the 1960s onward integration proceeded by **institutional deepening (common policies, competition rules)** and **geographic widening (new members)**. The **Single European Act (1986)** revised the Treaties to accelerate completion of the single market and introduced more qualified-majority voting in some areas. The **Maastricht Treaty (1992)** transformed the EEC into the **European Union**, adding political union elements, the **three-pillar structure**, and a roadmap toward Economic and Monetary Union (EMU) and common foreign/security policy.

Later treaty reforms and consolidation

Subsequent treaties—**Amsterdam (1997)**, **Nice (2001)** and **Lisbon (2007)**—streamlined institutions, adjusted voting rules for enlargement, and replaced the pillar structure with a single legal personality for the EU (Lisbon), strengthening the **European Parliament**, clarifying competences and creating the posts of **President of the European Council** and **High Representative**.

Legal and political significance

The EU's creation is best seen as a **gradual treaty-based constitutionalization**: each step rests on **international treaties** negotiated and ratified by Member States, producing an increasingly integrated legal order with supranational institutions, binding secondary law, and a Court of Justice to ensure uniform interpretation.

Practical note for Bangladesh (context): The EU's evolution shaped global trade and development frameworks that affect countries like Bangladesh through preferential market access, regulatory standards and development cooperation; understanding the EU's treaty basis helps when negotiating trade or partnership agreements.

"discuss the role of NATO in protecting international peace and security?"

Bold summary: NATO's legal role in protecting international peace and security rests on the *North Atlantic Treaty*—notably the collective-defence pledge in *Article 5*, the consultation mechanism in *Article 4*, and the Council created by *Article 9*—and in practice NATO pursues deterrence, crisis

management, cooperative security and capacity-building through political decisions and an integrated military command.

Legal foundation (what the Treaty says)

- **Article 5 (collective defence)**: an armed attack against one Party is considered an attack against all; Allies undertake to take action they deem necessary to restore and maintain security—this is NATO's core legal deterrent and operational trigger.
- **Article 4 (consultation)**: Parties consult together whenever, in the opinion of any of them, the territorial integrity, political independence or security of any Party is threatened—this is the formal diplomatic early-warning and coordination mechanism.
- **Article 9 (institutional basis)**: the Treaty establishes the North Atlantic Council as the principal political organ to consult and decide on measures to implement Treaty obligations; the Council links political direction to military implementation.

How those provisions translate into roles

- **Deterrence and collective defence (preventive role).** By making **Article 5** credible through forward posture, force posture and interoperability, NATO raises the political and military cost of aggression and thereby protects allied territory and populations.
- **Crisis management and collective action.** When threats fall short of Article 5 or are non-territorial (terrorism, cyber, piracy), Allies use the Council and military commands to authorize operations, sanctions support, or stabilization missions under political mandates—this is NATO's operational peace-security function.
- **Cooperative security and partnerships.** NATO reduces risks by building partner capacity, conducting joint exercises, and engaging in arms control and confidence-building measures that prevent escalation and manage regional crises.

Strengths, limits and legal-political dynamics

- **Strengths: binding mutual commitments (Article 5)** plus an integrated civil-military structure allow coordinated deterrence and rapid collective response when political consensus exists.
- **Limits:** NATO's legal powers derive from unanimous political will; **consensus decision-making** and national caveats can slow action, and the Treaty does not override UN Charter primacy for use of force outside self-defence or Security Council authorization.
- **Interaction with international law:** NATO actions must respect **UN Charter** obligations (peaceful settlement, non-use of force except in self-defence or Council mandate) and are subject to political and legal scrutiny by States and international bodies.

Practical implications for peace and security policy

- **Deterrence requires credible posture + political unity.** Legal Article 5 credibility depends on visible capabilities and sustained allied cohesion.
- **Crisis prevention needs partnerships and diplomacy.** NATO's consultation tools (Article 4) and partnership networks are essential to defuse threats before they require force.

"discuss the composition and jurisdiction of the European Court of human rights?"

Bold summary: The European Court of Human Rights (ECtHR) is composed of one independent judge elected in respect of each Council of Europe member State and sits in plenary, sections or chambers; its jurisdiction covers *individual applications*, *inter-State cases* and *advisory opinions* on the Convention and Protocols, subject to strict admissibility rules and temporal/territorial limits under the Convention and Rules of Court. This Court governs rights protection across Europe but does **not** apply to States outside the Council of Europe (e.g., Bangladesh) and its judgments are binding only on the parties to each case.

Composition of the Court

- **Number of judges:** The Court comprises **a number of judges equal to the High Contracting Parties** to the European Convention on Human Rights; each judge is elected in respect of a State but sits **as an independent, impartial judge** (not as a State representative).
- **Organizational formats:** The Court **sits in Plenary, in Sections and in Chambers**; smaller formations (Chambers) decide most cases, Sections handle appeals and the Plenary deals with exceptional matters and internal governance.

Election, terms and independence

- **Election process:** Judges are **nominated by each State** (lists of three candidates) and **elected by the Parliamentary Assembly of the Council of Europe**; they serve in their **individual capacity** and must meet high standards of independence and impartiality.
- **Term and status:** Under the Court's current practice and Rules, judges serve fixed terms and are **prohibited from engaging in activities incompatible with judicial independence**; the Court's composition and election safeguards are designed to protect judicial impartiality.

Jurisdiction — legal basis and scope

- **Statutory basis:** The Court's jurisdiction is defined by the **European Convention on Human Rights** and its Protocols; Article 32 (and related provisions) frames the Court's competence to decide matters concerning interpretation and application of the Convention as referred under Articles 33–34 and to give advisory opinions as provided in Article 47.
- **Three principal routes to the Court:** *Individual applications* (Article 34), *inter-State applications* (Article 33) and *advisory opinions/Committee referrals* (Articles 46–47 and Protocols) are the core jurisdictional pathways.

Types of cases (quick comparison)

Route	Who may apply	Legal effect
Individual application	Any person, NGO or group alleging violation by a State party	Binding judgment between parties; just satisfaction; supervision by Committee of Ministers
Inter-State application	One State against another for Convention breaches	Same binding effect; politically sensitive
Advisory opinions / referrals	Committee of Ministers or highest courts (Protocol 16)	Non-contentious guidance; clarifies interpretation

> **Sources:** .

Admissibility, temporal and territorial limits

- **Admissibility rules:** The Court applies strict admissibility criteria (exhaustion of domestic remedies, six-month rule, victim status, manifestly ill-founded or abusive applications) set out in the Convention and the **Rules of Court**; many applications are struck out at the admissibility stage.
- **Ratione temporis and ratione loci:** The Court's jurisdiction is **territorial and temporal** — it can only examine acts/omissions occurring **within the jurisdiction of a Contracting State** and after the relevant State became bound by the Convention or a Protocol, subject to transitional rules.

Practical consequences

- **Binding judgments and supervision:** Final judgments are **binding on the respondent State** and supervised by the Committee of Ministers for execution; remedies include just satisfaction and required legislative or administrative changes.
- **Limits:** The Court is not a global human-rights court; its reach is confined to **Council of Europe members** and its effectiveness depends on State compliance and political will.

"do you think that present formation of the European Union has transformed it from international organisation to confederation of state?"

Bold summary: The EU is *not* a confederation of states; it is a sui generis, treaty-based international organization with strong supranational features (legal personality, direct effect and supremacy of EU law) while retaining important intergovernmental elements and Member-state sovereignty in core areas. This hybrid character—neither a federal state nor a loose confederation—is the best legal description of the present Union.

Quick comparison of key attributes

Attribute	Confederation	Sovereign State	European Union (present)
Legal personality	Usually limited; members retain primary international personality	Full international personality	**Has independent legal personality under the Treaties**
Law supremacy	Member laws prevail; international acts need domestic incorporation	National constitution supreme internally	**EU law has direct effect and primacy in its fields of competence**
Decision-making	Primarily unanimous intergovernmental decisions	Centralized majority/constitutional processes	Mixed: **supranational majority rules in many areas; unanimity retained in others**
Fiscal/monetary union	Rarely integrated	Centralized fiscal/monetary authority	**Partial (EMU) but no full fiscal union**
Judicial enforcement	Weak supranational courts	National courts + constitutional court	**Strong supranational court (CJEU) enforcing**

Attribute	Confederation	Sovereign State	European Union (present)
			EU law

> **Sources:** .

Legal reasons it is not a confederation

- **Independent legal personality.** The Treaties confer an independent international legal personality on the Union, enabling it to conclude international agreements and act on the international plane—this is a hallmark of an entity more than a mere confederation.
- **Supranational law and remedies.** The Court of Justice's doctrines (direct effect and primacy) allow individuals to invoke EU law before national courts and require Member States to give effect to EU obligations without domestic transformation; that judicialized enforcement goes beyond classic confederal arrangements.
- **Institutional architecture.** The EU combines supranational institutions (Commission, Parliament, CJEU) with intergovernmental bodies (European Council, Council of the EU). **Policy competence is allocated by treaty**: where competence is conferred to the Union, EU law binds Member States directly; where it is not, Member States retain sovereignty.

Why some call it confederal and why that's incomplete

- **Confederal features:** Member States retain ultimate sovereignty in many core areas (taxation, defence, constitutional identity) and treaty amendment still requires State consent—features reminiscent of confederations.
- **Why incomplete:** Confederations typically lack binding supranational law and a court with direct effect; the EU's legal order, as developed by the Court and by treaty evolution, creates binding supranational norms that override conflicting national law in areas of competence.

Practical conclusion and recommendation

- **Accurate legal label: Call the EU "sui generis"**—a unique international organization with both supranational and intergovernmental elements.
- **If you need precision in argument or policy:** specify *which* dimension you mean (constitutionalization, market integration, foreign policy) and cite the relevant Treaty provisions and CJEU case law for that dimension.

"what are the objectives of SAARC?"

Bold summary: SAARC's objectives are set out in the SAARC Charter and focus on promoting regional peace and stability, accelerating economic growth and social progress, strengthening collective self-reliance, and enhancing cooperation in cultural, technical and scientific fields — these aims are the Charter's core purpose and guide all SAARC organs and programmes.

Legal basis and where the objectives appear

Constitutive instrument
The **SAARC Charter (Dhaka, 8 December 1985)** is the primary legal instrument that creates the organization and states its objectives and guiding principles; the Charter's opening paragraphs and operative provisions list the purposes that bind Member States and orient SAARC activity.

Core objectives explained

- **Promote the welfare of the peoples of South Asia and improve quality of life.**
  Why it matters: this is the Charter's human-centred aim, directing SAARC to design programmes that raise living standards across health, education and social services.

- **Accelerate economic growth, social progress and cultural development.**
  Why it matters: SAARC's economic and social cooperation agenda (trade facilitation, poverty alleviation, infrastructure, cultural exchange) flows directly from this objective and underpins instruments such as SAFTA and sectoral programmes.

- **Strengthen collective self-reliance among Member States.**
  Why it matters: the Charter emphasizes regional solutions and pooled resources to reduce external dependency and build regional capacity in development, disaster response and technology cooperation.

- **Contribute to mutual trust, understanding and appreciation of one another's problems.**
  Why it matters: political and diplomatic cooperation, confidence-building measures and people-to-people contacts are mandated to reduce tensions and foster neighbourly relations.

- **Promote active collaboration and mutual assistance in economic, social, cultural, technical and scientific fields.**
  Why it matters: this objective authorizes the Secretariat and sectoral bodies to negotiate and implement cooperative projects, technical exchanges and joint research programmes.

- **Cooperate with international and regional organizations with similar aims.**
  Why it matters: the Charter contemplates external partnerships and coordination with UN agencies and other bodies to leverage expertise and funding for regional priorities.

Practical effect and institutional follow-through

Operationalization: The SAARC Secretariat and specialized bodies translate Charter objectives into programmes (e.g., SAARC Development Fund, technical centres, sectoral meetings). The Charter therefore functions both as a normative statement of purpose and as the legal mandate for concrete cooperation.

"evaluate the role of SAARC to solve the problems of its member States?"

Bold summary: SAARC has a clear legal mandate to promote regional cooperation (peace, development, social progress) under the SAARC Charter, and it has delivered modest technical cooperation and a regional framework (e.g., SAFTA, sectoral centres), but political rivalry, weak enforcement, limited financing and low intra-regional trade have constrained its ability to solve core member-state problems at scale.

Legal basis and institutional tools

SAARC's objectives and organs are set out in the **SAARC Charter**, which mandates promotion of welfare, economic growth, social progress, mutual trust and cooperation across technical, cultural and economic fields; the Charter is the binding legal foundation for all SAARC activity.

Operational instruments include the annual **Summit**, the Council of Ministers, the Standing Committee, the SAARC Secretariat and sectoral bodies that design programmes and agreements (trade, disaster management, health, education) to implement Charter goals.

What SAARC has achieved (concrete examples)

- **Trade framework:** SAARC negotiated the **South Asian Free Trade Area (SAFTA)** to reduce tariffs and promote intra-regional trade; this is a formal legal instrument for economic cooperation.
- **Technical cooperation:** SAARC has established **regional centres and programmes** (disaster management, food security, health, cultural exchange) that provide platforms for joint projects and capacity building.
- **Normative role:** SAARC provides a diplomatic forum for confidence-building and dialogue among neighbours, which is legally anchored in the Charter's emphasis on peaceful settlement and non-interference.

Main limitations that reduce problem-solving capacity

- **Political rivalry and trust deficit.** Bilateral tensions (notably India–Pakistan) regularly stall Summit-level cooperation and freeze implementation of agreements; political will is the decisive constraint, not legal mandate.
- **Weak enforcement and financing.** SAARC lacks strong enforcement mechanisms and a predictable funding model; many decisions remain non-binding or depend on voluntary contributions, limiting follow-through.
- **Low intra-regional trade and economic integration.** Despite SAFTA, **intra-SAARC trade remains low** relative to potential, due to non-tariff barriers, poor connectivity and limited harmonization of standards.

Comparative snapshot

Area	Mandate	Achievements	Limitations
Peace & diplomacy	Charter: promote peace, non-interference	Regular diplomatic forum; confidence-building talks	Bilateral disputes block progress
Economic cooperation	SAFTA; Charter economic aims	Preferential tariff framework	Low intra-regional trade; NTBs
Technical/social	Sectoral cooperation mandates	Regional centres; joint projects	Fragmented funding; limited scale

Area	Mandate	Achievements	Limitations
Disaster & health	Charter cooperation; sectoral mechanisms	Joint disaster exercises, info-sharing	Slow operational coordination

> **Sources:**

Evaluation and practical recommendations (for Dhaka and other capitals)

- **Prioritize depoliticized, deliverable projects.** Focus on **connectivity, public-goods projects** (energy grids, cross-border health surveillance) that produce visible benefits and build trust.
- **Create predictable financing.** Establish a **replenishable SAARC Development Fund window** for regional public goods to reduce reliance on voluntary pledges.
- **Strengthen implementation and monitoring.** Convert more Summit declarations into **time-bound, monitored action plans** with clear lead agencies and reporting to the Secretariat.
- **Use sub-regional and bilateral tracks** to keep cooperation moving when full-membership consensus is blocked.

"what is the OIC?"

Bold summary: The Organisation of Islamic Cooperation (OIC) is a treaty-based intergovernmental organization founded in 1969 to promote solidarity among Muslim-majority States, protect their collective interests in the international arena, and coordinate political, economic, cultural and social cooperation; its legal foundation and objectives are set out in the OIC Charter.

Definition and legal basis

- **What it is:** The **OIC is an intergovernmental organization** established by a multilateral treaty (the OIC Charter). Its legal personality, purposes and institutional framework flow from that Charter, which binds Member States and governs the OIC's organs and functions.

Founding, membership and headquarters

- **Founding date and context:** The OIC was created in **1969** following the Rabat Islamic Summit and subsequent ministerial meetings as a collective response to issues affecting the Muslim world; the Charter was adopted in that period and later consolidated in updated texts.
- **Membership and seat:** The OIC currently comprises **57 Member States** from four continents and maintains its **headquarters in Jeddah, Saudi Arabia**; membership and observer rules are governed by the Charter's provisions on accession and rights of Members.

Core objectives (Charter-based)

- **Primary aims:** The Charter directs the OIC to **preserve and promote Islamic solidarity and unity; safeguard the interests of Member States; promote international cooperation; and uphold human rights and development** in conformity with international law and the UN Charter.
- **Operational goals:** These objectives are implemented through political coordination, economic cooperation, cultural and educational programmes, and collective diplomatic action on issues affecting

the Muslim world.

Principal organs and decision-making

- **Main organs:** The OIC's institutional architecture includes the **Islamic Summit (supreme authority), the Council of Foreign Ministers, the General Secretariat (Secretary-General), and specialized committees and subsidiary organs**; the Charter prescribes their composition, competences and decision procedures.
- **Legal effect of decisions:** Decisions taken under the Charter are binding to the extent the Charter and subsequent agreements provide; many measures require political consensus and implementation by Member States through national action and OIC mechanisms.

Practical role and relevance (brief)

- **Functions:** The OIC acts as a collective voice for Muslim States in international fora, coordinates positions on political crises, facilitates economic and technical cooperation, and runs sectoral programmes (education, culture, humanitarian relief) under Charter mandates.
- **Relevance to Bangladesh:** As a **Member State**, Bangladesh participates in OIC decision-making, benefits from cooperation programmes, and can invoke OIC mechanisms for diplomatic support on issues of common concern.

Key legal references (for citation)

- **OIC Charter (text and articles on objectives, organs and membership)**.
- **Founding and membership details (historical summary and list of members)**.

"what is the power and functions of this organisation?"

Bold summary: The Organisation of Islamic Cooperation (OIC) is a treaty-based intergovernmental organization whose legal powers and functions flow from the OIC Charter: it has authority to coordinate political positions, conclude cooperative agreements, run sectoral programmes, appoint organs and special envoys, and provide collective diplomatic and humanitarian action — but its decisions are implemented through Member States and the Charter-based organs rather than by supranational coercive power.

Legal foundation and scope of authority

- **Constitutive instrument:** The OIC's powers derive from the **OIC Charter**, which establishes the Organization's purposes, organs and legal personality and binds Member States to cooperate in the Charter's fields of activity.
- **Membership and seat: The OIC comprises 57 Member States** and maintains its **headquarters in Jeddah**, facts reflected in the Charter and official records.

Legal effect: The Charter creates an international organization with capacity to act on the international plane (enter agreements, adopt decisions, establish subsidiary organs) but **does not transfer sovereign powers from Members**; implementation of OIC decisions normally requires national action by Members or consensus-based follow-up through OIC mechanisms.

Principal powers and institutional functions

- **Political coordination and representation:** The OIC **coordinates Member States' positions** on issues affecting the Muslim world, issues communiqués at Summits and Council meetings, and can adopt collective diplomatic initiatives and statements.
- **Decision-making organs:** The **Islamic Summit (supreme organ)** and the **Council of Foreign Ministers** set policy; the **General Secretariat** (Secretary-General) executes programmes and implements decisions; the Charter prescribes these organs and their competences.
- **Treaty-making and agreements:** The OIC **may conclude agreements and memoranda** with States and other organizations to implement Charter objectives (economic, cultural, technical cooperation).
- **Programmatic and operational functions:** The OIC runs **sectoral programmes** (education, culture, humanitarian relief, economic cooperation), establishes specialized institutions and funds, and coordinates joint projects among Members.
- **Humanitarian and diplomatic action:** The OIC can **mobilize humanitarian assistance, appoint special envoys, and coordinate collective diplomatic responses** to crises affecting Member States or Muslim communities abroad.
- **Privileges, immunities and legal personality:** The Charter and host-state agreements provide the Organization and its officials with **functional privileges and immunities** necessary for independent operation; these are negotiated with host States (e.g., Saudi Arabia for the Secretariat).

Limits and practical effect

- **Consensus and Member implementation:** The OIC's effectiveness depends on **political consensus and Member compliance**; the Charter grants authority to act, but enforcement power is political and relies on Member States' willingness to implement decisions.
- **Comparative note:** Legally, the OIC resembles other intergovernmental organizations: it **has international legal personality and operational capacities** but lacks supranational coercive authority to bind Members beyond treaty commitments.

Power/Function	Practical form
Political coordination	Summit communiqués; Council decisions; special envoys
Treaty and agreements	MoUs; cooperation agreements with States/IOs
Programmes & projects	Sectoral centres; development and humanitarian programmes
Legal personality & immunities	Headquarters agreements; privileges for officials

> **Sources:** .

"what is the role of OIC in rohingya crisis?"

Bold summary: The OIC has acted as a political advocate, humanitarian coordinator and diplomatic pressure group on the Rohingya crisis—organizing contact groups, ministerial statements, solidarity visits and limited funding/relief coordination—while stopping short of coercive measures; its impact has been important symbolically and operationally but constrained by Member-state politics and limited enforcement powers.

What the OIC has done (concrete roles)

- **Political advocacy and diplomatic pressure.** The OIC has repeatedly issued communiqués and resolutions calling for justice, accountability and protection of Rohingya rights; it established dedicated committees and public statements to keep the issue on the international agenda.
- **Coordination and contact mechanisms.** The OIC created an **OIC Contact Group on Rohingya Muslims** and an **Ad Hoc Ministerial Committee on Accountability**, which meet to coordinate policy, monitor developments and brief Member States and international partners.
- **Humanitarian solidarity and resource mobilization.** The OIC has organized solidarity visits, coordinated with UN agencies and mobilized assistance through instruments such as the Islamic Solidarity Fund and partner development funds to support refugees and host communities in Bangladesh.
- **Legal and accountability advocacy.** The OIC has publicly called for accountability for atrocities and supported international legal avenues and fact-finding efforts, urging Member States and international bodies to pursue remedies and protection for Rohingya victims.

How the OIC operates legally and politically

- **Charter-based, consensus-driven action.** The OIC acts under its Charter through Summits, the Council of Foreign Ministers and the Secretariat; decisions are **political and require Member support**, so the OIC's measures are persuasive rather than coercive. This explains why the OIC focuses on statements, committees, diplomatic initiatives and humanitarian coordination rather than enforcement measures.
- **Partnership with UN and NGOs.** The OIC coordinates with UNHCR and humanitarian partners to align relief, protection and capacity-building efforts in Bangladesh and in the region.

Effectiveness and limits

- **Strengths:** The OIC provides **political visibility**, moral pressure and a platform for Muslim-majority States to speak collectively; it channels funding and humanitarian support and sustains diplomatic attention on Rohingya protection and accountability.
- **Limits:** The OIC lacks enforcement powers and depends on Member-state consensus and resources; its influence on Myanmar's domestic policy is limited, and outcomes (repatriation, accountability) remain driven by broader international diplomacy and legal processes.

Role	Practical form	Impact
Political advocacy	Statements, communiqués, ministerial meetings	Keeps issue on international agenda
Coordination	Contact Group, solidarity visits, UN liaison	Aligns humanitarian response
Resource mobilization	Islamic Solidarity Fund, partner funds	Provides targeted relief support
Legal advocacy	Calls for accountability, support for fact-finding	Political pressure for legal remedies

Sources:

Recommendation (for Bangladesh): Use OIC channels to secure predictable humanitarian funding, request OIC support for legal/forensic documentation and press the Contact Group to coordinate a joint OIC-UN roadmap for safe, voluntary repatriation and accountability.

"explain - why is this organisation's failure in ensuring expected role in the protection of the Muslims?"

Bold summary: The OIC's failure to protect Muslims effectively stems from legal and institutional limits in the OIC Charter (consensus decision-making, respect for state sovereignty and non-interference), chronic political divisions among Members, weak enforcement and financing, and reliance on diplomatic rather than coercive tools — for Bangladesh (Dhaka) this means the OIC can mobilize political support and humanitarian aid for Rohingya protection but cannot compel Myanmar to act.

Legal and charter constraints

- **Charter design limits coercive action.** The OIC is a treaty-based intergovernmental body whose **powers derive from the OIC Charter**, which emphasizes **sovereign equality, cooperation and consensus** rather than supranational enforcement; the Charter therefore authorizes political coordination and assistance but not compulsory intervention in a Member State's internal affairs.
- **Decision rules require consensus.** Major political steps depend on Summit or Council agreement and Member support, which legally channels action into statements, contact groups and voluntary programmes rather than binding enforcement.

Political fragmentation and member interests

- **Divergent Member priorities.** Member States have different geopolitical interests, bilateral ties and economic links with target States; these political cleavages prevent unified pressure or sanctions even when the Charter calls for solidarity and protection of Muslim communities.
- **Result:** the OIC often issues **communiqués and diplomatic démarches** but cannot translate them into binding measures without unanimous political will.

Operational and resource limits

- **Weak enforcement mechanisms and financing.** The OIC lacks a standing enforcement arm and depends on **voluntary funds and member contributions** for humanitarian relief and programmes; this constrains rapid, large-scale protection or accountability initiatives required in crises like Rohingya displacement.
- **Implementation gap.** The Charter entrusts execution to the Secretariat and subsidiary organs, but practical delivery depends on Member implementation and external partners (UN, NGOs), limiting the OIC's independent operational reach.

Legal remedies and accountability limits

- **No supranational jurisdiction.** The OIC cannot adjudicate or impose legal sanctions on a State in the manner of a court; its **legal remedies are political and diplomatic** (resolutions, fact-finding support, calls for international action), so accountability often falls to UN mechanisms or international courts rather than the OIC itself.
- **Consequences for protection:** victims and host States (e.g., Bangladesh) must therefore rely on multilateral law, UN agencies and bilateral diplomacy for enforceable protection and repatriation

frameworks.

Constraint	Effect on protection
Charter consensus and non-interference	Limits binding action; favors statements
Member political divisions	Blocks unified pressure or sanctions
Limited finances and no enforcement arm	Restricts scale of humanitarian/protection response
No judicial/compulsory jurisdiction	Accountability relies on external mechanisms

> Sources: .

Practical recommendations

- **Use OIC for coordinated diplomacy and funding** while pushing parallel UN and regional legal avenues for accountability; **request OIC support for documentation, legal aid and a funded humanitarian window** to assist Bangladesh's Rohingya response.
- **Build coalitions of willing OIC members** to adopt targeted measures (humanitarian corridors, sanctions consensus) that do not require full unanimity but create effective pressure.

"write the objectives in establishment of NATO?"

Bold summary: NATO was established by the North Atlantic Treaty (Washington, 4 April 1949) to preserve peace and security in the North Atlantic area through *collective defence*, *political consultation*, and the *promotion of stability and democratic values*; its core objectives are set out in the Treaty Preamble and Articles 1–5 and Article 9.

Legal foundation

- **Founding instrument:** The legal basis of NATO is the **North Atlantic Treaty (1949)**, whose Preamble frames the purpose and whose operative Articles create the obligations and institutions that implement those purposes.
- **Institutional anchor: Article 9** establishes the North Atlantic Council as the principal political organ to consult and decide on measures to implement Treaty obligations.

Core objectives (textual and functional)

- **Peaceful settlement and non-use of force (Article 1).** Parties undertake to **settle disputes by peaceful means** and to refrain from the threat or use of force inconsistent with the UN Charter; this anchors NATO's preventive and diplomatic aims.
- **Promotion of stability and well-being (Article 2).** Members commit to **strengthen free institutions, economic collaboration and social stability** as part of the Treaty's broader security objective.
- **Consultation and early warning (Article 4).** Any Party may request consultation when it believes its **territorial integrity, political independence or security** is threatened; this provides a formal diplomatic mechanism for crisis management.
- **Collective defence (Article 5).** The Treaty's central security guarantee: an **armed attack against one Party is considered an attack against all**, triggering each Party to take such action as it deems

necessary to restore and maintain security—this is NATO's legal deterrent and operational trigger.

How objectives operate in practice

- **Deterrence and defence posture.** Article 5 underpins NATO's deterrence posture (forces, readiness, interoperability); its credibility depends on political unity and military capability among Members.
- **Crisis management and out-of-area roles.** While Article 5 is territorial, NATO also uses political organs and military commands to address non-Article-5 threats (terrorism, cyber, piracy) through consensus decisions and mandates consistent with the UN Charter.
- **Political consultation as prevention.** Article 4 consultations and Council mechanisms enable coordinated diplomatic responses before escalation, reflecting the Treaty's emphasis on peaceful dispute settlement.

Limits and legal context

- **Charter and UN law constraints.** NATO actions must conform to the **UN Charter** (peaceful settlement, prohibition on use of force except self-defence or Security Council authorization); NATO cannot lawfully override those obligations.
- **Dependence on political will.** The Treaty creates obligations but **relies on Member consensus** for implementation; unanimity and national caveats can limit rapid or coercive action despite the Treaty's objectives.

"how would you evaluate the role of NATO in case of ongoing war between Russia and Ukraine?"

Bold summary: NATO's role in the Russia–Ukraine war is primarily to deter escalation against Allies, support Ukraine short of direct combat, and coordinate political-military responses; it does this under the North Atlantic Treaty (notably Article 5 deterrent framework and Article 4 consultation) while constrained by the UN Charter, Alliance consensus politics and escalation risks.

Legal foundation and mandate

- **Core legal anchors:** NATO's authority flows from the **North Atlantic Treaty**—the collective-defence guarantee that underpins deterrence (Article 5) and the consultation mechanism for threatened Allies (Article 4).
- **Operational limits:** NATO must act consistent with the **UN Charter** (use of force only in self-defence or with Security Council authorization), so direct combat in Ukraine (a non-NATO state) would raise legal and political escalation issues.

What NATO has done in practice

- **Political and military support short of Article 5 combat:** NATO has **coordinated weapons, training, intelligence sharing, and reinforcement of eastern Allies**, while avoiding direct NATO combat operations inside Ukraine; it also convenes consultations and posture adjustments to reassure members.
- **Crisis consultations and deterrence posture:** Allies have used **Article 4 consultations** and stepped up force posture on the eastern flank to deter spillover and reassure members, while coordinating sanctions and diplomatic pressure on Russia.

Comparative snapshot of NATO roles (concise)

Role	Form	Primary effect
Collective deterrence	Reinforced troop presence; air policing; exercises	Raises cost of aggression against Allies
Support to Ukraine	Arms, training, intelligence, logistics (non-combat)	Strengthens Ukrainian defence capacity
Crisis management	Article 4 consultations; political coordination	Rapid allied decision-making and reassurance
Risk management	Rules of engagement, escalation control	Limits direct NATO-Russia confrontation

> **Sources:** .

Evaluation — strengths and limits

- **Strengths: Credible deterrence for Allies** (Article 5 credibility), unified sanctions and political pressure, and large-scale material support to Ukraine that has materially affected battlefield dynamics.
- **Limits: Legal and political constraints** prevent NATO from intervening militarily inside Ukraine without risking direct war with Russia; Alliance consensus and national caveats can slow or limit measures; escalation management remains the central strategic challenge.

Practical implications for Bangladesh (Dhaka)

- **Indirect effects:** NATO actions shape global security, arms flows and sanctions regimes that affect trade, energy and humanitarian responses relevant to Bangladesh. **Dhaka should monitor sanctions, humanitarian corridors and refugee-support coordination** and engage with EU/UN channels rather than NATO directly.

"how has the European Union been established?"

Bold summary: The European Union was created gradually through a sequence of treaty-based steps beginning with the *Schuman Declaration (9 May 1950)* and the *Treaty of Paris (ECSC, 1951)*, followed by deeper economic and political integration under subsequent treaties that transformed a sectoral community into today's EU; each step rests on international treaties that transferred limited competences from States to common institutions.

Founding political idea and first legal step

- **Political trigger:** The **Schuman Declaration (9 May 1950)** proposed pooling coal and steel to make war between France and Germany "materially impossible" and to create practical solidarity among European States; this political proposal set the integration project in motion.
- **First treaty institution:** The **Treaty of Paris (ECSC)** created a supranational High Authority and common institutions for coal and steel, establishing the first legal entity whose decisions bound

Member Governments in the delegated fields; this treaty is the legal prototype for later European institutions.

From sectoral community to common market and union

- **Treaty-based evolution:** After the ECSC, States negotiated broader treaties (the Treaties that created the European Economic Community and Euratom) and later treaty revisions that **expanded competences, created common policies and strengthened institutions**; the EU's present legal order is therefore the cumulative product of successive international treaties and institutional practice.
- **Institutional consequences:** Each treaty step created or reformed supranational organs (executive/Commission-type bodies, a common court, a legislative assembly) and introduced legal doctrines (direct effect, primacy) that made Community/Union law directly relevant within Member States.

Legal character and mechanism of establishment

- **Treaty law as constitutive law:** The EU is **not a single constitution imposed externally** but a **sui generis international organization** whose powers derive exclusively from **treaties voluntarily concluded and ratified by sovereign States**; treaty amendments and enlargements follow the procedures the Member States agreed in those treaties.
- **Transfer of competences:** Member States **confer specific competences** to the Union by treaty; where competence is conferred, EU law can bind States and individuals directly—this legal transfer is the core mechanism by which the Union was established and deepened.

Why the treaty route matters (practical point)

- **Predictability and consent:** Because the EU's authority rests on **treaty consent**, its legitimacy and scope depend on Member-State ratification and political acceptance; institutional innovations (single market, monetary union, common policies) were possible only through negotiated treaty change and implementing acts.

Key legal anchors you can cite: Schuman Declaration (9 May 1950) as the political origin; **Treaty of Paris (ECSC)** as the first constitutive treaty and legal model for supranational institutions.

"what are the organ of the European Union?"

Bold summary: The EU's principal organs are the seven institutions listed in *Article 13 of the Treaty on European Union* — the European Parliament, the European Council, the Council (Council of the EU), the European Commission, the Court of Justice of the European Union, the European Central Bank and the Court of Auditors — each created and empowered by the EU Treaties to perform distinct legislative, executive, judicial, monetary and audit functions.

Core institutions (Article 13 TEU)

Institution	Primary constitutional role
European Parliament	Directly elected legislature; democratic representation of EU citizens

Institution	Primary constitutional role
European Council	Sets the Union’s political direction and priorities
Council (Council of the EU)	Represents Member States’ governments in law-making and policy coordination
European Commission	Guardian of the Treaties; proposes legislation and executes EU policy
Court of Justice of the EU (CJEU)	Ensures uniform interpretation and application of EU law
European Central Bank (ECB)	Conducts monetary policy for the euro area
Court of Auditors	Audits EU finances and reports on budget implementation

> **Sources:** .

Short description of powers and how they fit together

- **Institutional framework:** *Article 13 TEU* establishes the institutional framework and requires the institutions to promote EU values, advance objectives and ensure policy consistency; the Treaties allocate specific competences and procedures to each institution (legislative procedure, budgetary powers, judicial review).
- **Legislative and budgetary functions: Parliament and the Council** act as the Union’s two co-legislators under ordinary legislative procedure; the **Commission** has the exclusive right to initiate most EU legislation and manages implementation and enforcement.
- **Political direction and coordination:** The **European Council** (heads of state or government) provides strategic guidance and resolves high-level political issues; it does not exercise legislative power but shapes priorities and treaty-level decisions.
- **Judicial review and legal uniformity:** The **CJEU** interprets EU law, rules on validity of EU acts and ensures Member States comply with Treaty obligations; its case-law underpins doctrines such as direct effect and primacy that make EU law effective within national systems.
- **Monetary and financial oversight:** The **ECB** is responsible for euro-area monetary policy and price stability; the **Court of Auditors** examines revenue and expenditure to ensure sound financial management of the EU budget.

Practical note for users in Dhaka

- **Where decisions matter:** EU institutions operate across **Brussels, Strasbourg and Luxembourg** (legislative, plenary and judicial seats respectively) and together shape policies (trade, development, migration, human rights) that affect third countries including Bangladesh.

"explain - EU is a greater state comprising of all European States?"

Bold summary: No — the EU is not a single “greater state” comprising all European States; it is a *sui generis* treaty-based international organization whose powers come from Member States by treaty (the TEU/TFEU), combining strong supranational elements (legal personality, direct effect and primacy of EU law in conferred fields) with retained national sovereignty in other areas. For Bangladesh this means

the EU acts like a powerful, partially integrated actor on trade, standards and external relations, but it is not a federal state and its competences are limited to what Member States have agreed in the Treaties.

Legal basis for that conclusion

- **Treaty foundation and consent:** The Union exists because **Member States concluded treaties** (Treaty on European Union — *TEU* — and Treaty on the Functioning of the European Union — *TFEU*). The Union's powers are **derived and limited by those treaties**; competences are conferred, not inherent.
- **Legal personality (external capacity):** The Treaties expressly give the Union an **international legal personality**, enabling it to sign international agreements and act externally — but that is a legal capacity, not statehood.
- **Supranational features:** In areas of conferred competence the Union exercises **binding law-making** (Regulations, Directives) and the **Court of Justice of the EU (CJEU)** enforces uniformity through doctrines such as **direct effect** (individuals can rely on EU law before national courts) and **primacy** (EU law takes precedence over conflicting national law in its fields). These features make the EU more integrated than a typical international organization.
- **Retained sovereignty and limits:** The Treaties reserve **core sovereign functions** (constitutional identity, defence, most taxation, core fiscal policy) to Member States; treaty amendment requires Member-State consent and ratification. The Union cannot unilaterally become a state without Member States surrendering full sovereignty.

Why the EU is described as sui generis

- **Hybrid institutional architecture:** The EU mixes **supranational institutions** (Commission, Parliament, CJEU) with **intergovernmental bodies** (European Council, Council of the EU). Decision-making uses **majority rules in many policy areas** but **unanimity** remains for treaty change and sensitive fields.
- **Not federal, not confederal:** It is **not a federal state** (no single constitution replacing Member constitutions; no full fiscal union), nor a simple **confederation** (because EU law can bind individuals and override national law in conferred areas). Hence the label *sui generis* — a unique legal order.

Practical implications (for Dhaka / Bangladesh)

- **Trade and standards:** The EU can negotiate trade agreements and set regulatory standards that affect Bangladeshi exports; these acts are treaty-based and binding where the EU has competence.
- **Diplomacy and aid:** The EU acts as a single external actor in many areas (trade, development, human rights), but its external positions reflect both Union institutions and Member-State interests.

Short conclusion

- **Accurate legal description:** Call the EU a **sui generis, treaty-based international organization with strong supranational elements**, not a single state comprising all European States.

"explain the aims and objectives of the organisation of Islamic conference?"

Bold summary: The Organisation of Islamic Cooperation (OIC) is a treaty-based intergovernmental organisation founded to promote Islamic solidarity, protect the collective interests of Muslim-majority States, and coordinate political, economic, cultural and humanitarian cooperation; its aims and objectives are set out in the OIC Charter and implemented through Summit, Council and Secretariat

organs. For **Dhaka**, this means Bangladesh participates as a Member State in OIC political coordination, humanitarian channels and legal/diplomatic initiatives for Muslim communities.

Legal basis and founding

The OIC's legal foundation is the **OIC Charter**, adopted after the 1969 Rabat Summit; the Charter creates the Organisation, defines its purposes and establishes its organs and procedures. **The Charter gives the OIC international legal personality and a treaty mandate to act on behalf of Member States** in areas listed in the instrument.

Core aims and objectives (Charter-based)

- **Promote Islamic solidarity and unity.** The Charter directs Member States to **preserve and promote unity, fraternity and cooperation among Muslim countries** as a primary objective.
- **Safeguard collective interests.** The OIC exists to **safeguard and protect the interests of Member States and Muslim communities internationally**, including political representation in global fora.
- **Promote international peace and justice.** The Charter commits Members to **uphold the UN Charter and international law** while seeking peaceful settlement of disputes and protection of rights.
- **Advance economic, social and cultural cooperation.** The OIC aims to **accelerate economic development, social progress, education, science and culture** across Member States through joint programmes and institutions.
- **Coordinate humanitarian and relief action.** The Charter authorises collective humanitarian responses and cooperation in disaster relief and refugee assistance where needed.

These objectives are normative mandates that guide OIC resolutions, ministerial decisions and programme work.

Principal organs and functions

The Charter establishes the **Islamic Summit (supreme organ), the Council of Foreign Ministers, the General Secretariat (Secretary-General) and specialized committees and subsidiary organs** to implement Charter aims. The Secretariat coordinates programmes, issues communiqués and manages OIC institutions; the Summit and Council set political direction and approve major initiatives.

How aims translate into practice

- **Political coordination:** collective statements, joint diplomacy and contact groups on crises affecting Muslim communities.
- **Programmatic action:** sectoral institutions (education, health, cultural centres), funds and technical cooperation projects.
- **Humanitarian mobilization:** pooled appeals, solidarity visits and coordination with UN agencies for refugee and relief operations. These practical functions flow from the Charter's objectives but depend on Member-state consensus and voluntary resources.

Key limits and practical note

- **The OIC's powers are political and cooperative, not coercive.** The Charter empowers coordination and assistance but **does not transfer sovereign enforcement powers** from Members; implementation

depends on Member commitment and funding.
- **For Bangladesh:** the OIC is a diplomatic and funding partner for issues like Rohingya relief, legal documentation and international advocacy, but effective protection and accountability often require parallel UN and bilateral action.

"do you think that OIC has become successful in achieving it's goals?"

Bold summary: The OIC has partially achieved its goals: it successfully provides a diplomatic platform, humanitarian coordination and some programmatic cooperation, but it has not consistently secured protection, political unity or enforceable remedies for Muslim communities because of Charter limits (consensus, non-interference), member divisions and weak enforcement/financing.

Legal baseline

- **Mandate:** The OIC's aims (Islamic solidarity, safeguarding member interests, political and socio-economic cooperation) are set out in the **OIC Charter**, which creates the Organisation, its organs and its legal personality.
- **Legal effect:** The Charter empowers **political coordination and cooperative programmes** but does **not transfer coercive sovereign powers** to the OIC; implementation depends on Member States and consensus decision-making.

Concrete achievements

- **Collective diplomacy and visibility:** The OIC has kept issues affecting Muslim communities on the international agenda through **Summit communiqués, Council resolutions and contact groups**, increasing political visibility for crises such as Palestine and Rohingya.
- **Humanitarian coordination and funding:** The OIC mobilises **humanitarian assistance** (Islamic Solidarity Fund, solidarity visits, coordination with UN agencies) and supports relief operations in member and partner countries.
- **Institutional cooperation:** The OIC runs **sectoral programmes and specialised organs** (education, culture, technical cooperation) that deliver capacity building and inter-state projects.

Principal shortcomings

- **Charter constraints:** The Charter's emphasis on **sovereign equality, non-interference and consensus** channels action into statements and voluntary programmes rather than binding enforcement.
- **Political fragmentation: Divergent member interests and bilateral ties** frequently block unified pressure or sanctions, limiting the OIC's ability to compel behavioural change in recalcitrant states.
- **Resource and enforcement gaps:** The OIC lacks a robust, predictable financing mechanism and has **no supranational enforcement arm**, so large-scale protection, accountability or coercive measures are beyond its institutional reach.

Comparative evaluation table

Dimension	Successes	Failures / Limits
Political voice	Platform for collective statements; contact groups	Inability to force policy change
Humanitarian action	Mobilised funds; coordinated relief	Funding unpredictable; limited scale
Legal/accountability	Advocacy for investigations; support for documentation	No judicial/enforcement powers
Programmatic cooperation	Sectoral centres; technical projects	Fragmented implementation; slow impact

> **Sources:** .

Overall assessment and rationale

- **Partial success:** The OIC **succeeds as a political and humanitarian coordinator** and as a forum for solidarity, but it **fails where binding enforcement, unified sanctions or direct protection** of vulnerable Muslim populations are required—because the Charter and practice limit it to consensual, state-led action.
- **Why this matters for Bangladesh:** The OIC is a useful diplomatic and funding partner (e.g., Rohingya relief), but **Dhaka must also pursue UN, bilateral and regional legal/political avenues** to secure durable protection and accountability for refugees.

Recommendation (practical): Push the OIC to create a replenishable humanitarian window, fund legal documentation, and form a coalition of willing members for targeted diplomatic measures; these are feasible within the Charter and increase OIC impact.

"what are the challenges it faces before strengthening its functions?"

Bold summary: The OIC faces legal-institutional limits (Charter rules on sovereignty, consensus and non-interference), chronic political fragmentation among Members, weak financing and implementation capacity, and overlap with other international actors — these structural constraints must be addressed before the OIC can meaningfully strengthen its functions.

Legal and charter constraints

- **Charter design:** The **OIC Charter** creates the Organisation and affirms **sovereign equality, non-interference and consensual decision-making**, which legally channels OIC action into political coordination and voluntary programmes rather than compulsory enforcement; the Charter also defines the Secretariat and organs that must rely on Member implementation.
- **Limited coercive authority:** Because the Charter does not transfer sovereign enforcement powers to the OIC, the Organisation **cannot unilaterally impose binding measures on Members**; its legal personality enables agreements and coordination but not supranational coercion.

Political and diplomatic obstacles

- **Divergent member interests:** Geopolitical rivalries and bilateral ties among Members produce **inconsistent political will**, blocking unified action on sensitive crises and reducing the OIC's ability to adopt strong measures.
- **Consensus dependence:** The need for broad agreement slows decision-making and often reduces outcomes to statements or soft measures rather than operational remedies.

Operational, financial and capacity gaps

- **Unpredictable funding:** The OIC depends largely on **voluntary contributions and limited institutional funds**, constraining sustained humanitarian, legal or development programmes.
- **Secretariat capacity and implementation gap:** The General Secretariat and sectoral bodies often lack the staffing, technical expertise and monitoring mechanisms to translate Summit decisions into timely, large-scale action.

Legal-operational overlaps and legitimacy issues

- **Overlap with UN and regional bodies:** Coordination with the **UN, regional organisations and NGOs** is necessary but creates duplication, unclear mandates and competition for resources.
- **Human-rights and accountability tensions:** Balancing **state sovereignty** with protection and accountability (e.g., atrocity response) creates legal and political dilemmas that the Charter's consensual framework struggles to resolve.

Quick comparison table of core challenges

Challenge	Why it matters	Typical consequence
Charter limits (sovereignty, non-interference)	Legal ceiling on coercive action	Reliance on statements and voluntary measures
Political fragmentation	Conflicting member priorities	Weak or delayed collective responses
Financing & capacity	No stable replenishment mechanism	Small-scale, short-term programmes
Overlap with other IOs	Ambiguous mandates	Coordination gaps; inefficiency
Accountability/legal tools	No supranational enforcement	Reliance on external legal fora

> **Sources:** .

Practical steps before strengthening functions

- **Treaty-level clarifications:** Amend or interpret Charter provisions to create **clearer decision-making thresholds** for emergency humanitarian or accountability measures while respecting sovereignty.
- **Create a predictable financing window:** Establish a **replenishable OIC emergency fund** with transparent governance to support rapid response.
- **Build implementation capacity:** Invest in a professional, technically skilled Secretariat unit for monitoring, legal documentation and programme delivery.

- **Form coalitions of willing members:** Use flexible coalitions to act when full consensus is impossible, preserving the Charter while enabling targeted measures.
- **Formal UN/OIC coordination protocols:** Negotiate standing arrangements with the UN to avoid duplication and leverage UN enforcement mechanisms where needed.

"what are the qualifications of a judge of the International Court of Justice?"

Bold summary: Under the Statute of the International Court of Justice (ICJ), a judge must be of *high moral character* and either possess the national qualifications for appointment to the highest judicial offices or be a *jurisconsult of recognized competence in international law*; judges are elected to nine-year terms, the Court has 15 members with no two nationals of the same State, and nominations and elections follow the Statute's procedures administered by national groups and the UN organs. For legal research in Dhaka, these requirements are found in the ICJ Statute (notably **Articles 2–3** and the election provisions).

Legal basis and core qualifications

- **Statutory text (Article 2): Judges must be persons of high moral character** who either **possess the qualifications required in their respective countries for appointment to the highest judicial offices** or **are jurisconsults of recognized competence in international law**.
- **Independence requirement:** The Statute frames the Court as a body of **independent judges**, which implies impartiality and the expectation that judges will not act as representatives of their States.

Composition and nationality rule

- **Number and nationality rule (Article 3):** The Court **consists of fifteen judges**, and **no two judges may be nationals of the same State**; a person with multiple nationalities is deemed a national of the State where they ordinarily exercise civil and political rights.

Nomination, election and term

- **Nomination mechanism:** Candidates are normally **nominated by "national groups"** (the groups in the Permanent Court of Arbitration) or by similar national procedures established under the Statute; nominations are intended to reflect both judicial and scholarly competence.
- **Election procedure and organs:** Judges are **elected by the United Nations General Assembly and the Security Council**, voting independently but concurrently; a candidate must obtain an absolute majority in both organs to be elected (the Statute sets out the detailed voting procedure).
- **Term length and re-election:** Judges are elected for **nine-year terms** and may be re-elected in accordance with the Statute's provisions.

Additional practical and ethical constraints

- **No two nationals rule enforces geographic balance** and prevents national domination of the bench.
- **Professional exclusivity and independence:** The Statute and Court practice restrict judges from engaging in other professional activities that would compromise independence; the Court's rules and practice govern incompatibilities and recusal for conflicts of interest.

Qualification element	Short description
Moral character	High moral character required; independence emphasized.
Judicial qualification	National qualifications for highest judicial office; or jurisconsult of recognized competence in international law.
Nationality rule	15 judges; no two nationals of same State; multi-nationality rule applies.
Nomination & election	Nominated by national groups; elected by UNGA and Security Council by absolute majority.
Term	Nine years; eligible for re-election under Statute rules.

> **Sources:** .

"what is the procedure of appointment of judge of this court?"

Bold summary: Judges of the International Court of Justice (ICJ) are nominated by national groups, elected independently and concurrently by the UN General Assembly and Security Council by absolute majority, serve a single term of nine years (renewable), and must be persons of high moral character with the highest national judicial qualifications or recognized competence in international law — these rules are set out in the ICJ Statute (notably Articles 2–11, 15). This procedure is the authoritative route for any candidate from **Bangladesh** or elsewhere to reach the Court.

Legal foundation

Statutory basis
The appointment procedure is governed by the **Statute of the International Court of Justice**, annexed to the UN Charter. The Statute defines **qualifications, nomination, election, term, vacancy rules and nationality constraints** that together form the Court's appointment regime.

Qualifications and composition

- **Minimum qualifications:** A judge must be **"a person of high moral character"** and either **possess the qualifications required in their country for appointment to the highest judicial offices** or be a **jurisconsult of recognized competence in international law**.
- **Composition rule:** The Court **consists of 15 judges** and **no two judges may be nationals of the same State**; multiple nationals are treated as nationals of the State where they ordinarily exercise civil and political rights.

Nomination process

- **Who nominates:** Candidates are nominated by **"national groups"** (the national groups of the Permanent Court of Arbitration or equivalent bodies designated by each State). Each national group may nominate up to four persons, of whom not more than two may be of their own nationality.
- **Purpose of national groups:** This mechanism is designed to ensure professional vetting and to produce a slate of candidates reflecting judicial and scholarly competence.

Election procedure

- **Electing bodies:** Judges are **elected by the UN General Assembly and the Security Council**, voting **independently but concurrently**.
- **Majority requirement:** A candidate must obtain an **absolute majority** of votes in **both** organs to be elected; if fewer than the required number are elected after the first ballots, further rounds are held and procedures in the Statute govern tie-breaking and additional ballots.
- **Filling all seats:** Elections are held every three years for one-third of the Court (i.e., five judges) so that continuity and rotation are preserved; special elections fill vacancies for the remainder of the term.

Term, re-election and vacancies

- **Term length: Judges serve nine-year terms** and are eligible for re-election under the Statute's rules.
- **Vacancies:** If a judge dies or resigns, the Statute prescribes a special election to fill the vacancy for the remainder of the term, following the same GA/Security Council procedure.

Practical and ethical safeguards

- **Independence and incompatibilities:** Once elected, judges are independent and the Statute and Court rules restrict outside activities that could impair impartiality; the Court's Registry administers formalities such as the judge's oath and assumption of duties.

"what is the decision making process of the Security Council?"

Bold summary: The UN Security Council decides on international peace and security through a treaty framework that gives it primary responsibility (Article 24), binding authority in certain cases (Article 25), and a two-tier voting system: procedural decisions need 9 affirmative votes, while substantive decisions need 9 votes including the concurring votes of the five permanent members (the "veto" rule).

Legal mandate and authority

- **Primary responsibility.** The Security Council holds **primary responsibility for the maintenance of international peace and security**, acting on behalf of UN Members when discharging that duty; this role is established in the Charter and explained in the Council's practice guides.
- **Binding effect.** Decisions of the Council adopted under the Charter are **binding on UN Members** to the extent the Charter provides (notably Article 25), which gives the Council legal force when it acts within its Chapter VI/VII powers.

How decisions are made step by step

1. **Agenda and initiation.** A matter may be placed on the Council's agenda by a Member State, the Secretary-General, or by the Council itself; the Council's working methods and penholder system shape who drafts texts and leads negotiations.
2. **Negotiation and text-building.** Draft resolutions are negotiated among Council members (often led by a "penholder" State); informal consultations and working groups refine language before formal voting.

3. **Voting rules. Each Council member has one vote**; **procedural matters** are adopted by **an affirmative vote of nine members**; **substantive matters** require **an affirmative vote of nine members including the concurring votes of all five permanent members** (i.e., no negative vote by a permanent member) — this is the legal basis of the veto.
4. **Procedural versus substantive distinction.** Whether a question is procedural or substantive affects whether a permanent member's negative vote blocks adoption; the Council's practice and rules clarify this distinction and its consequences.
5. **Adoption and implementation.** Once adopted, Chapter VII measures (sanctions, enforcement) are binding and may authorize coercive measures; Chapter VI measures are recommendations and focus on peaceful settlement.

Quick comparison table

Decision type	Majority needed	Effect of permanent member negative vote
Procedural	**9 affirmative votes**	**No veto effect**
Substantive	**9 affirmative votes including concurring votes of P5**	**A single negative vote by any P5 blocks adoption**

> Sources: .

Practical notes and limits

- **Political reality matters.** The veto and the need for consensus on many issues mean the Council's legal powers are often constrained by great-power politics; working methods (penholders, informal consultations) shape outcomes as much as formal rules.
- **Use for Dhaka:** When engaging the Council, **seek clear classification of the request (procedural vs substantive)**, build coalitions to secure **9 affirmative votes**, and anticipate P5 positions early in drafting.

"explain - what is double veto?"

What "double veto" means (UN Security Council)

Bold summary: A "double veto" is simply when two permanent members of the UN Security Council each cast a negative vote on the same substantive draft resolution; legally one veto is enough to block adoption, so a double veto has no additional procedural effect but carries stronger political meaning.

Legal basis in the UN Charter

- **Primary responsibility and binding effect.** The Security Council has primary responsibility for the maintenance of international peace and security and its decisions under the Charter are binding on UN Members【Article 24; Article 25】.
- **Voting rule that creates the veto.** For **substantive** matters the Charter requires an **affirmative vote of nine members including the concurring votes of all five permanent members**; a negative vote

by any permanent member therefore prevents adoption — this is the legal source of the veto power【Article 27(3)】.

- **Procedural versus substantive distinction.** Procedural questions are decided by nine affirmative votes only; the permanent members' negative votes do not block procedural decisions【Article 27(2)–(3)】.
- **Practice on abstention.** A permanent member's **abstention or absence** does not count as a negative vote and therefore does not amount to a veto in practice.

What a double veto does (legal and political effect)

- **Legal effect.** Legally, **one negative vote by any permanent member is sufficient to block** a substantive draft; a second negative vote therefore **adds no extra legal blocking power**.
- **Political effect.** Two vetoes (e.g., by two different P5 members) signal **broader great-power opposition**, reduce prospects for revision or compromise, and make alternative routes (e.g., Chapter VII action, referral to the General Assembly, or ad hoc coalitions) more politically difficult.
- **Operational consequence.** Because the Council's binding measures require Council adoption, a double veto typically means the Council cannot adopt the requested coercive or sanctioning measures and the matter remains unresolved at the Council level.

Practical implications and workarounds

- **Drafting strategy.** Drafters often narrow language, convert measures into procedural steps, or seek compromise text to avoid triggering a P5 negative vote.
- **Alternative avenues.** When the Council is blocked, States may pursue: (1) **General Assembly action** (e.g., "Uniting for Peace" procedures) for recommendations; (2) **coalitions of willing States** to act outside the Council within international law; (3) **regional arrangements** or **UN-mandated humanitarian/technical responses** coordinated with other actors.
- **Political reality.** A double veto usually signals entrenched geopolitical division and makes immediate Council-level solutions unlikely.

"do you think that uniting for peace resolution is a check against absolutism of the permanent members of the security council?"

Bold summary: Uniting for Peace (UNGA Res. 377 (V), 1950) is a political and procedural mechanism that *can* act as a practical check on Security Council paralysis by enabling the General Assembly to convene Emergency Special Sessions and recommend collective measures when the Council fails to act — but it is not a legal override of the Security Council's Charter powers and therefore functions as a political, not judicial, check.

Legal basis and mechanism

- **What it does:** *Uniting for Peace* authorizes the General Assembly to **meet in an Emergency Special Session** and recommend collective measures, including the use of force, when the Security Council is unable to act because of lack of unanimity among its permanent members.
- **How it is triggered:** The resolution was adopted in **1950** to address Security Council deadlock (Korea) and sets out procedures for referral to the Assembly by the Council or by a majority of UN Members; the Assembly's recommendations follow from those sessions.

Is it a legal check on P5 "absolutism"?

- **Not a Charter override:** *Uniting for Peace* is a General Assembly resolution and **does not amend the UN Charter**; it cannot convert Assembly recommendations into binding Council decisions or displace the Charter's allocation of primary responsibility to the Security Council.
- **Practical constraint vs legal authority:** Legally, the Security Council retains primary responsibility under the Charter and its Chapter VII powers remain the principal source of binding enforcement; the Assembly's role under *Uniting for Peace* is **recommendatory**, so the resolution is a **political and procedural check**, not a legal nullification of the veto.

Political effect and historical practice

- **Real-world leverage:** In practice, Emergency Special Sessions have been used to **mobilize international opinion, coordinate collective action by Member States, and authorize non-Council routes for assistance or collective measures** (notably in 1950 and in later crises) — giving the Assembly a way to break diplomatic deadlock and pressure veto-holding States.
- **Limits in enforcement:** Because Assembly recommendations are not binding, their effectiveness depends on **Member States' willingness to act** and on political momentum; a P5 veto still blocks Council coercive measures, and major powers can blunt Assembly initiatives through diplomacy, sanctions, or unilateral action.

Aspect	Legal character	Practical effect
Authority	Recommendatory (GA resolution)	Can mobilize states; cannot bind them
Relation to veto	Does not remove veto power under Charter	Circumvents Council paralysis politically
Enforcement	No direct enforcement mechanism	Enables coalitions, UN agencies, or regional action

Bottom line (for Dhaka / policymakers)

- **Uniting for Peace is a meaningful political check**: it **reduces the practical impunity** that a veto can create by enabling broad multilateral mobilization and moral-political pressure.
- **But it is not a legal cure**: it **cannot legally compel** a P5 to change course or convert Assembly recommendations into binding enforcement without Security Council action or Charter amendment.

"what is the justification in favor of the affirmative vote of the permanent members of the security council in maintaining peace and security?"

Bold summary: The Security Council's rule that substantive decisions require the affirmative votes (concurring votes) of all five permanent members is legally grounded in Article 27 of the UN Charter and is justified as a practical mechanism to secure great-power buy-in, ensure enforceability of Council measures, and prevent the UN from being used to escalate conflicts among the major powers — but it is a political, not purely legal, safeguard and carries clear trade-offs for smaller states like Bangladesh.

Legal basis

- **Charter text and practice.** The veto mechanism (the requirement of **concurring votes of the P5** for substantive matters) is set out in **Article 27(3)** of the UN Charter and explained in the Council's practice repertory; this is the formal legal source of the permanent members' blocking power.
- **Council's primary role.** The Council's special responsibility for **maintenance of international peace and security** and the binding nature of its decisions are framed by the Charter and underlie why the drafters gave extra weight to P5 concurrence.

Core justifications in favour (legal-political rationale)

- **Securing enforcement capacity.** The P5 are the principal military and political powers; requiring their concurrence **increases the likelihood that Council decisions (sanctions, peacekeeping, enforcement) will be implemented** rather than ignored or resisted by a major power, thereby enhancing practical effectiveness.
- **Preventing great-power confrontation.** The veto reduces the risk that the UN will be used to authorize measures that could provoke direct conflict among major powers; this was a central concern of the San Francisco framers and remains a stability argument for the veto.
- **Legitimacy through consent.** Measures taken with P5 concurrence carry **greater international legitimacy** because they reflect agreement among the states most able to enforce or resist Council action; this helps secure resources and cooperation from powerful States.
- **Institutional bargain and system-building.** The veto was part of the post-war bargain that persuaded major powers to join and empower the UN; without that concession the UN might have lacked the participation necessary to function as a collective security system.

Trade-offs and limits

- **Paralysis and politicization.** The same rule that secures buy-in can produce **deadlock** when P5 interests diverge, blocking action even in grave crises.
- **Unequal influence.** The veto institutionalizes **asymmetry** in decision-making power, raising questions of fairness and representativeness for smaller and non-aligned States.
- **Political, not judicial, check.** The veto is a political device embedded in treaty design; it is not a judicial safeguard and cannot be judicially overridden without Charter amendment.

Justification	Practical effect	Counterpoint
Enforcement credibility	Greater chance P5 will implement measures	Can still be ignored by non-P5 actors
Risk reduction among great powers	Lowers chance of UN-authorized clash between P5	May block action to prevent atrocities
Legitimacy via consent	Easier to mobilize resources and states	Legitimacy questioned when P5 block majority will

> **Sources:** .

Practical note for Dhaka: when the Council is likely to be split, **build broad regional and General Assembly coalitions** and prepare alternative tracks (Uniting for Peace, regional arrangements, targeted diplomacy)

because the P5 concurrence rule makes Council outcomes contingent on great-power politics.

"what are the general and legal characteristics of International organisation?"

Bold summary: An international organization (IO) is a treaty-based association of States or other actors created by a constitutive instrument that gives it international legal personality, organs, decision-making rules and capacities (treaty-making, program delivery, privileges/immunities); its legal character combines consent-based limits with functional powers needed to act on the international plane.

Core legal nature

- **Constitutive instrument:** An IO is created by a **treaty or charter** (the constitutive instrument) that defines membership, purposes and institutional structure; the treaty is the IO's "constitution" and limits its competences.
- **International legal personality:** Once constituted, an IO normally acquires **legal personality** enabling it to conclude treaties, enter relations with States and other IOs, and hold rights/obligations under international law.

General institutional characteristics

- **Membership and representation:** Members are usually sovereign States (sometimes regional bodies or non-state actors); membership rules, accession and withdrawal are treaty-governed.
- **Organs and decision-making:** IOs have permanent organs (assemblies, councils, secretariats, courts or tribunals) with powers and voting rules set by the constitutive treaty; decision procedures range from consensus to qualified majority voting.
- **Functional competences:** IOs exercise **delegated competences** (e.g., trade, security, health) only to the extent States confer them; competence is treaty-limited and often subject to subsidiarity or reserved powers.

Legal powers and immunities

- **Treaty-making and contracts:** IOs can **conclude agreements** with States and other IOs within their competence and may be parties to international instruments.
- **Privileges and immunities:** To function independently, IOs and their officials typically enjoy **privileges and immunities** (headquarters agreements, diplomatic immunities) recognized by host States and customary practice.

Accountability, finance and dispute settlement

- **Financing:** IO budgets are funded by assessed or voluntary contributions; predictable financing is essential for operational capacity and independence.
- **Legal accountability:** IO acts may be subject to review by internal organs, administrative tribunals or, in some cases, national courts; dispute settlement mechanisms are treaty-specified and vary by organization.

Characteristic	Legal effect
Constitutive treaty	Defines powers, membership, amendment rules
Legal personality	Capacity to enter treaties; sue/be sued
Organs & voting	Determines how decisions bind members
Privileges/immunities	Functional independence in host State
Financing	Operational capacity; donor dependence

> **Sources:** .

Practical implications (for Dhaka)

- **When engaging an IO, check the constitutive treaty** for competence limits, decision thresholds and dispute mechanisms; **assess funding windows and legal remedies** before relying on the IO for enforcement or protection.
- **Distinguish intergovernmental from supranational IOs**: the former acts through Member consent; the latter can create directly applicable law within its competence—this affects how Bangladesh should negotiate and implement commitments.

"explain - United Nations has been arrived to protect the succeeding generation from the scourge of the war?"

Bold summary: The United Nations was founded expressly "to save succeeding generations from the scourge of war" — that purpose is stated in the Charter Preamble and given legal force through the Charter's core provisions (notably Articles 1, 2(4), 24, 25 and the Chapter VII enforcement powers), which together create a treaty framework for prevention, peaceful settlement and, where authorized, collective enforcement of measures to maintain international peace and security.

Charter text and founding purpose

- **Founding promise.** The UN Charter opens with the Preamble's pledge **"to save succeeding generations from the scourge of war"**, which expresses the Organization's raison d'être and frames every Charter obligation.
- **Primary purposes. Article 1** lists the UN's purposes: to maintain international peace and security; to develop friendly relations among nations; to achieve international cooperation in solving economic, social and humanitarian problems; and to promote human rights — all instruments for preventing war.

Legal provisions that operationalize the Preamble

- **Prohibition on force. Article 2(4)** obliges Members to **refrain from the threat or use of force** against the territorial integrity or political independence of any state, a preventive legal norm rooted in the Charter's aims.
- **Security Council responsibility. Article 24** vests the Security Council with **primary responsibility for the maintenance of international peace and security**, making it the Charter's central enforcement organ.

- **Binding effect of Council decisions. Article 25** requires Members to accept and carry out Security Council decisions, giving legal effect to collective measures the Council adopts under the Charter.
- **Enforcement tools.** Chapter VII (Articles **39–51**) authorizes the Council to determine threats and to adopt measures ranging from sanctions to enforcement action when peaceful means fail, providing the legal mechanism to prevent or halt large-scale hostilities.

How the UN seeks to protect future generations in practice

- **Prevention and diplomacy.** The Charter's emphasis on peaceful settlement (Article 33) and the Secretary-General's preventive diplomacy tools aim to **stop disputes before they escalate** into war.
- **Peacekeeping and peacebuilding.** Mandated UN peace operations, political missions and post-conflict reconstruction translate Charter aims into on-the-ground protection and institution-building.
- **Norms and institutions.** The UN's human-rights system, development programmes and disarmament forums address root causes of conflict (poverty, injustice, arms proliferation) consistent with the Charter's social and humanitarian objectives.

Limits, trade-offs and legal reality

- **Dependence on Member States.** The UN's powers derive from Member consent; **the Security Council's political dynamics (including the P5 veto)** can block action even where the Charter's aims demand response, so the Preamble's promise is implemented within political constraints.
- **Complementary instruments needed.** Preventing war requires **legal norms, political will, resources and regional cooperation**; the Charter provides the legal architecture but not automatic enforcement without Member support.

"what principle and purpose did it undertake for maintenance international peace and security?"

Bold summary: The UN undertook the twin *principle* of collective restraint on force and peaceful dispute settlement and the *purpose* of maintaining international peace and security for future generations — these aims are anchored in the Charter Preamble and operationalized by Articles 1, 2(4), 24–25 and the Chapter VII enforcement powers, while peaceful settlement procedures (Article 33) and preventive diplomacy implement the preventive side for States like Bangladesh.

Legal foundation

- **Founding text.** The Charter's **Preamble** declares the UN's raison d'être "**to save succeeding generations from the scourge of war**," which frames the Organization's legal and political mission.
- **Primary purposes. Article 1** lists the UN's purposes, first among them **"to maintain international peace and security"** and to take **collective measures for prevention, suppression of aggression and peaceful settlement of disputes**.

Core principles and their Charter bases

- **Prohibition on the use of force. Article 2(4)** obliges Members to **refrain from the threat or use of force** against the territorial integrity or political independence of any State; this is the legal restraint that underpins prevention.

- **Primary responsibility and binding decisions. Article 24** vests the **Security Council** with primary responsibility for maintaining peace and security; **Article 25** requires Members to accept and carry out Council decisions, giving legal force to collective measures.
- **Enforcement and determination of threats. Chapter VII (Articles 39–51)** authorizes the Council to **determine threats to the peace and adopt measures (sanctions, enforcement)** when peaceful means fail, providing the legal mechanism to halt aggression.
- **Peaceful settlement and prevention. Article 33** and related Charter provisions prioritize **negotiation, mediation, arbitration and judicial settlement** as first-line tools to prevent escalation.

How principle meets purpose in practice

- **Prevention:** norms (Article 2(4)) + diplomacy (Article 33) + Secretary-General preventive diplomacy aim to stop disputes early.
- **Collective enforcement:** when prevention fails, the Security Council may act under Chapter VII to restore peace; Council decisions are binding on Members (Articles 24–25).
- **Complementary measures:** peacekeeping, peacebuilding, human rights and development work address root causes consistent with Article 1's broader social aims.

Principle	Charter basis	Purpose served
Restraint on force	**Article 2(4)**	Prevent interstate war; legal prohibition of aggression
Collective responsibility	**Articles 24–25**	Ensure enforceable, coordinated responses
Enforcement authority	**Chapter VII (Arts. 39–51)**	Authorize sanctions or force to restore peace
Peaceful settlement	**Article 33**	Prevent escalation through diplomacy

> Sources: .

Limits and practical note for Dhaka

- **Political constraint:** the Charter's legal tools operate within Member-state politics (notably the Security Council veto), so **legal authority does not guarantee action**; Bangladesh should combine Charter routes (diplomacy, GA mobilization, Council engagement) with regional and UN agency channels to prevent and respond to crises.

"explain - what role did it play in the rohingya crisis?"

Bold summary: The UN played multiple roles in the Rohingya crisis: documenting abuses and calling for accountability, coordinating humanitarian relief and refugee protection, and pursuing legal and diplomatic avenues (including support for the Gambia's ICJ case) — but its ability to compel Myanmar or to secure full accountability was constrained by limited access, Security Council politics, and reliance on Member-state cooperation.

Legal and normative actions

- **Fact-finding and human-rights documentation.** The UN Human Rights Office conducted field interviews and published findings that described **systematic, coordinated attacks** and warned that returns would be "almost impossible" without accountability; these reports framed the crisis as a serious international human-rights emergency.
- **International criminal and treaty frameworks invoked.** The crisis engaged **obligations under the Genocide Convention and international human-rights law**, and the UN system repeatedly urged investigations and accountability measures (reports and special procedures fed into legal processes).

Protection and humanitarian response

- **Refugee protection and relief coordination. UNHCR and OCHA** led large-scale humanitarian coordination in Bangladesh (Cox's Bazar), providing shelter, health, and protection services to **over 700,000 new arrivals in 2017 and more than 1 million refugees overall**, while coordinating donor appeals and camp management with Bangladeshi authorities and NGOs.
- **Limitations on access.** Humanitarian and protection work was hampered by **restricted access to Rakhine State**, security constraints and funding shortfalls, limiting the UN's capacity to secure safe, voluntary returns or to monitor conditions inside Myanmar.

Legal and judicial avenues

- **International Court of Justice (ICJ) proceedings.** The Gambia brought a case alleging violations of the Genocide Convention; the ICJ's engagement (including provisional measures and hearings) represented a major **legal avenue for accountability** and relied on UN human-rights documentation and state-level litigation strategies.
- **Complementary mechanisms.** The UN supported investigative and documentation efforts (OHCHR, fact-finding missions) that fed into criminal investigations, universal jurisdiction cases and international advocacy for sanctions and accountability.

Political and institutional constraints

- **Security Council paralysis.** Attempts to secure strong Council action were limited by **great-power divisions**, which constrained binding measures and enforcement options at the UN level; the Assembly and other UN fora were used to sustain political pressure when the Council was blocked.
- **Dependence on Member States.** The UN's tools (reports, recommendations, humanitarian operations) depend on **Member-state cooperation, funding and host-State access**, so legal findings did not automatically translate into enforcement or safe returns.

Assessment for Dhaka (practical points)

- **Bangladesh benefited from UN humanitarian coordination and international visibility** but must continue to press for durable solutions: **legal documentation, international protection guarantees, and predictable funding** for refugees and host communities are essential.

"what are the associate organs of the general assembly?"

Bold summary: The General Assembly's "associate" organs are its *subsidiary organs* created under Article 22 of the UN Charter; they include the six Main Committees, standing boards and commissions (e.g., ACABQ), special committees (e.g., Decolonization), expert commissions and councils (e.g.,

Disarmament Commission, Human Rights Council), and numerous working groups and panels that draft recommendations for the Assembly.

Legal basis

- **Constitutive rule.** The Assembly's power to create these bodies flows from **Article 22 of the UN Charter**, which authorizes the General Assembly to "establish such subsidiary organs as it deems necessary for the performance of its functions".
- **Practice and scope.** The Assembly uses this authority to form a wide variety of organs with different mandates, durations and membership rules; the Repertory of Practice explains the legal and institutional diversity that Article 22 permits.

Principal categories and examples

- **Main Committees (six): First (Disarmament and International Security); Second (Economic and Financial); Third (Social, Humanitarian and Cultural); Fourth (Special Political and Decolonization); Fifth (Administrative and Budgetary); Sixth (Legal)** — these are permanent subsidiary organs that prepare draft resolutions and reports for plenary action.
- **Standing boards and expert bodies: Advisory Committee on Administrative and Budgetary Questions (ACABQ); United Nations Board of Auditors; Committee on Conferences** — these provide technical advice and oversight to the Assembly and its budgetary functions.
- **Special and ad hoc committees: Special Committee on Decolonization (C-24); Special Committee on Peacekeeping Operations; various fact-finding or investigative committees** created for specific mandates or time-limited tasks.
- **Commissions, councils and panels:** Bodies such as the **Disarmament Commission** and the **Human Rights Council** (established by GA resolution and functioning as a subsidiary organ) operate as policy and normative forums under Assembly authority.
- **Working groups and panels:** Time-limited expert groups, drafting committees and intergovernmental negotiations that feed texts and recommendations into the Assembly process.

How they function

- **Mandate and reporting.** Subsidiary organs **study agenda items, negotiate texts and present recommendations or draft resolutions** to the plenary for adoption; they do not themselves adopt binding GA decisions but shape the Assembly's output.
- **Legal and institutional ties.** The Repertory notes wide variation in legal form, appointment methods and the degree of autonomy these organs enjoy, but all remain **charter-based creations accountable to the Assembly**.

Practical note for Dhaka

- **When engaging the GA, identify the relevant subsidiary organ** (Main Committee, special committee or expert panel) because **policy drafting and consensus building usually occur there before plenary votes**; use the UN Secretariat listings to find membership, schedules and mandate texts.

"how is OIC's secretary general appointed?"

Bold summary: The OIC Secretary-General is selected under the OIC Charter's appointment framework: candidates are proposed by Member States, the Council of Foreign Ministers conducts the selection and appoints the Secretary-General for a renewable five-year term, and the General Secretariat then implements the appointment and mandate. See the OIC Charter and the Organisation's official pages for the governing text and procedural details.

Legal basis and institutional placement

- **Constitutive instrument:** The **OIC Charter** is the Organisation's founding and governing instrument; it establishes the General Secretariat and the office of the Secretary-General and sets out the broad appointment and mandate framework for the post.
- **Authoritative description:** The OIC's official Secretariat page and institutional summaries state the practical appointment rule: the **Council of Foreign Ministers** plays the central role in nominating/selecting and appointing the Secretary-General, who serves a **five-year, renewable term** and heads the General Secretariat.

Typical procedural steps (practice under the Charter)

- **Nomination: Member States** propose candidates through their diplomatic channels or through the national procedures recognised by the OIC; nominations are circulated to the Council and the General Secretariat for consideration.
- **Selection and appointment:** The **Council of Foreign Ministers** evaluates candidates, conducts consultations among Member States and then **appoints** the Secretary-General by decision of the Council; the appointment is for a **five-year term, renewable** in accordance with OIC practice.
- **Assumption of office and mandate:** Once appointed, the Secretary-General assumes responsibility for the General Secretariat, implements Summit and Council decisions, and reports to the Council and the Islamic Summit as required by the Charter and subsidiary rules.

Key legal and practical features to note

- **Term and renewal:** The **five-year renewable term** is the standard practice; reappointment follows the same Council procedure and depends on Member-State support.
- **Political character:** The appointment is **intergovernmental and political**: it depends on Member-State consensus and regional balances rather than an independent electoral college; the Secretary-General's independence is institutional but the selection reflects Member priorities.
- **Accountability:** The Secretary-General is accountable to the **Council of Foreign Ministers** and the **Islamic Summit** (the OIC's supreme organ) for implementing the Charter and Summit/Council decisions.

Where to read the exact rules

- **OIC Charter (official text):** consult the Charter's provisions on the General Secretariat and the Secretary-General for the formal legal framework.
- **OIC institutional pages:** the Secretariat's official description of the Secretary-General's appointment, term and duties provides the practical procedure used by Member States.

Sources: OIC Charter (official text); OIC Secretariat / institutional summary (Secretary-General office description).

"do you think that this organisation is successfully facing the prestart middle-east crisis? if it does not so, why? give your reason?"

Bold summary: The OIC has been *partly effective* in addressing Middle-East crises: it provides a diplomatic forum, issues communiqués and mobilizes humanitarian appeals, but it has not delivered binding enforcement or coherent political strategies. The reasons lie in its Charter limits (sovereignty, consensus), member divisions, and weak financing. Thus, while the OIC is useful for advocacy and relief coordination, it cannot substitute for UN mechanisms or bilateral diplomacy.

Legal foundation and mandate

- **Charter basis:** The **OIC Charter** establishes the Organisation's mandate to promote Islamic solidarity, coordinate political positions, and provide humanitarian assistance. It creates the **Islamic Summit, Council of Foreign Ministers, and General Secretariat** as decision-making organs.
- **Scope of authority:** The Charter authorizes **political coordination and cooperative programmes** but does **not transfer coercive sovereign powers** to the OIC. Its decisions are recommendatory, not binding, limiting enforcement capacity.

Where the OIC has succeeded

- **Diplomatic visibility:** The OIC convenes **emergency ministerial meetings and Summits** that keep Middle-East crises (Palestine, Syria, Yemen) on the international agenda.
- **Humanitarian coordination:** Through the **Islamic Solidarity Fund** and cooperation with UN agencies, the OIC mobilizes relief for affected populations.
- **Normative pressure:** OIC resolutions and contact groups create **political pressure and visibility**, supporting bilateral and multilateral advocacy by Member States.

Why it falls short

- **Charter constraints:** The Charter's emphasis on **sovereign equality and non-interference** means the OIC cannot impose binding measures or compel Member States to act.
- **Member fragmentation:** Divergent national interests (e.g., Gulf rivalries, ties with external powers) produce **inconsistent political will**, weakening unified responses.
- **Resource gaps:** The OIC lacks a **predictable enforcement or humanitarian fund** and has limited operational capacity compared with the UN or regional actors.
- **Security Council dependence:** On core Middle-East crises (Palestine, Syria), the OIC's resolutions lack binding force and depend on UN Security Council action, where veto politics often block enforcement.

Comparative table: OIC performance on Middle-East crises

Dimension	Strengths	Weaknesses
Diplomacy	Rapid convening; unified statements	No binding enforcement; political splits
Humanitarian	Appeals; coordination with UN	Funding unpredictable; access limits
Accountability	Calls for investigations	No judicial/enforcement powers
Policy coherence	Summit/Council guidance	Fragmented member positions

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Conclusion

- **Assessment:** The OIC is **partially successful** — effective as a political and humanitarian coordinator, but not as an enforcement actor.
- **Reason:** Its Charter limits, consensus requirement, member divisions, and lack of resources prevent it from fully addressing Middle-East crises.
- **For Bangladesh:** The OIC is valuable for **diplomatic amplification and relief mobilization**, but Dhaka must also rely on **UN mechanisms, bilateral diplomacy, and regional partnerships** for durable outcomes.